



NO. VLC-S-S-240082
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

JOCELYN LOVITOS and
MARTRADE HOLDINGS LTD.

PLAINTIFFS

AND:

FRANCISCO CORTES, aka JUN CORTES
ZEALA CORTES
PINTECH SOLUTION INC.
AUBITX HOLDINGS INC.

DEFENDANTS

ORDER MADE AFTER APPLICATION

BEFORE ASSOCIATE JUDGE

NIELSEN

FRIDAY, THE 7TH DAY
OF JUNE, 2024

ON THE APPLICATION of the Plaintiffs, without notice, coming on for hearing at the Courthouse at 800 Smithe Street, in the City of Vancouver, in the Province of British Columbia, on this day, AND UPON being satisfied that the Plaintiffs filed and served the Notice of Civil Claim on each of the Defendants, and the Defendants having failed to file and serve a Response to the Civil Claim within the time allowed; AND UPON HEARING Scott R. Andersen, counsel for the Plaintiffs;

THIS COURT ORDERS AND DECLARES THAT:

1. There be an accounting of all revenue, proceeds, payments, income, funds or any other benefit derived from:
 - (a) \$40,000 paid to Pintech Solutions Inc. ("**Pintech**") from Jocelyn Lovitos ("**Lovitos**") on March 31, 2022;
 - (b) \$35,000 paid to Pintech from Lovitos on May 25, 2022;

- (c) \$200,000 paid to Aubitx Holdings Inc. ("**Aubitx**") from Lovitos on May 30, 2022
- (d) \$25,000 paid to Aubitx from Lovitos on May 30, 2022;
- (e) \$50,000 paid to Pintech from Lovitos on December 9, 2022

(collectively, the "**Deposits**").

2. The Defendants hold the Deposits, and all revenue, proceeds, payments, income, funds or any other benefit derived from the Deposits or any portion thereof, in trust for Lovitos.
3. The Defendants deliver up to Lovitos the Deposits, or its proceeds and all revenue, proceeds, payments, income, funds or any other benefit derived from the Deposits, or any portion thereof.
4. All accounts, directions and enquiries are hereby ordered to enable Lovitos to trace or follow the Deposits and all revenue, proceeds, payments, income, funds or any other benefit derived from the Deposits, or any portion thereof.
5. Judgment be and is hereby granted in favour of Lovitos against the Defendants on a joint and several basis for the sum of \$377,138.37 inclusive of pre-judgment interest, which judgment will be reduced by any amounts delivered up or recovered pursuant paragraph 1-4 hereof. Interest will continue to accrue on this amount until payment pursuant to the *Court Order Interest Act*.
6. There be an accounting of all revenue, proceeds, payments, income, funds or any other benefit derived from:
 - (a) \$20,000 paid to Pintech from Martrade Holdings Ltd. ("**Martrade**") on February 6, 2023;
 - (b) \$20,000 paid to Pintech from Martrade on February 22, 2023; and

(c) \$50,000 paid to Pintech from Matrtrade on March 20, 2023

(collectively, the "**Monies**").

7. The Defendants hold the Monies, and all revenue, proceeds, payments, income, funds or any other benefit derived from either the Monies, or any portion thereof, in trust for Matrtrade.
8. The Defendants deliver up to Matrtrade the Monies, or its proceeds, and all revenue, proceeds, payments, income, funds or any other benefit derived from the Monies, or any portion thereof.
9. All accounts, directions and enquiries are hereby ordered to enable Matrtrade to trace or follow the Monies and all revenue, proceeds, payments, income, funds or any other benefit derived from the Monies, or any portion thereof.
10. Judgment be and is hereby granted in favour of Matrtrade against the Defendants on a joint and several basis for the sum of \$112,553.38 inclusive of pre-judgment interest, which judgment will be reduced by any amounts delivered up or recovered pursuant paragraph 6-9 hereof. Interest will continue to accrue on this amount until payment pursuant to the *Court Order Interest Act*.
11. The Plaintiffs are at liberty to apply for an increased quantum of the balance owing on the judgment arising from amounts determined but not recovered pursuant to paragraphs 2-4 and 7-9 hereof.

12. The Defendants will pay the Plaintiffs' costs hereof at scale "B" to be assessed.

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:



Scott R. Andersen
COUNSEL FOR THE PLAINTIFFS

BY THE COURT

REGISTRAR



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AUBITX HOLDINGS INC.

DEFENDANTS

**ORDER MADE AFTER APPLICATION
(DEFAULT JUDGMENT)**



Barristers & Solicitors
Suite 403 - 460 Doyle Avenue
Kelowna, B.C. V1Y 0C2
Email: scott.andersen@lawsonlundell.com
Attention: Scott R. Andersen