



No. S-260086
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

MCAP FINANCIAL CORPORATION

PETITIONER

AND:

MASKEEN 177 PROJECTS LTD., 0676086 B.C. LTD., MASKEEN DEVELOPMENT LTD.,
MASKEEN HOMES LTD., 1302095 B.C. LTD., 0943151 B.C. LTD., 0816980 B.C. LTD.,
0816984 B.C. LTD., PRO RIDGE HOMES LTD., PRORIDGE VENTURES INC.,
JAGDIP SINGH SIVIA, AMARJIT KAUR SIVIA, JATINDERPAL SINGH GILL,
HARBANS KAUR GILL, PRABHDEV SINGH KHERA, FIRST WEST CREDIT UNION,
TOKIO MARINE CANADA LTD., VANCOUVER CITY SAVINGS CREDIT UNION,
BMW CANADA INC., FRONT STREET LEASING LP O/A DILAWRI LEASING,
OPENROAD LEASING LTD, TD AUTO FINANCE (CANADA) INC., COUNTRY GREEN
EXCAVATING LIMITED, 1299615 B.C. LTD., NEXGEN ENVIRONMENTAL SERVICES
LTD., INTEGRITY SHORING & CIVIL LTD. WITH ASSUMED NAME: ISC SHORING &
CIVIL LTD., MADNESS FORMING & CONSTRUCTION SERVICES INC., and
PDQ CONSTRUCTION LTD.

RESPONDENTS

RESPONSE TO PETITION

Filed by: Country Green Excavating Limited (the "Petition Respondent")

THIS IS A RESPONSE TO the petition filed January 7, 2026 (the "Petition").

The Petition Respondent estimates that the application will take one (1) hour.

Part 1: ORDERS CONSENTED TO:

The Petition Respondent consents to the granting of the orders set out in the following paragraphs of Part 1 of the Petition: **none**

Part 2: ORDERS OPPOSED:

The Petition Respondent opposes the granting of the orders set out in the following paragraphs of Part 1 of the Petition: **none**

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN:

The Petition Respondent takes no position on the granting of the orders set out in the following paragraphs of Part 1 of the Petition: **1 to 2**

Part 4: FACTUAL BASIS:

1. On December 1, 2025, the Petition Respondent filed a Claim of Builders Lien under No. CB2490015 against title to Lot 1 of the Lands, and a Claim of Builders Lien under No. CB2489780 against title to Lot 2 of the Lands, for the sum of \$620,748.34. Subsequently, on December 4, 2025, the Petition Respondent filed a Certificate of Pending Litigation under No. CB2496667 against title to Lots 1 and 2 of the Lands.

Part 5: LEGAL BASIS:

1. The Petition Respondent takes no position with respect to the legal basis outlined in the Petition filed herein.

Part 6: MATERIAL TO BE RELIED ON:

1. The proceedings filed herein; and
2. Such other materials as counsel may advise.

Date: January 27, 2026



Signature of lawyer for the Petition Respondent,
Adnan N. Habib

Petition Respondent's address for service:

Baker Newby LLP
200 – 2955 Gladwin Road
Abbotsford, BC V2T 5T4
Attention: Adnan N. Habib

Fax number address for service:

(604) 852-5194

E-mail address for service:

ahabib@bakernewby.com and
mtaylor@bakernewby.com

Name of Petition Respondent's Lawyer:

Adnan N. Habib