

VANCOUVER

NOV 30 2018

COURT OF APPEAL  
REGISTRY

Court of Appeal File No.

CA 45753

COURT OF APPEAL FOR BRITISH COLUMBIA

BETWEEN:

EuroHelvetia TrustCo S.A. also known as  
EHT Corporate Services S.A. and David Craven

Appellants

AND:

British Columbia Securities Commission  
and Executive Director of the British Columbia Securities Commission

Respondents

### NOTICE OF APPLICATION FOR LEAVE TO APPEAL

TAKE NOTICE that the Appellants, EuroHelvetia TrustCo S.A. also known as EHT Corporate Services S.A. and David Craven, hereby apply for leave to appeal to the Court of Appeal for British Columbia from the Order of the British Columbia Securities Commission pronounced on 02 November 2018 at Vancouver, British Columbia.

The appeal is from a:

Trial Judgment

Summary Trial  
Judgment

Order of a Statutory  
Body

Chambers Judgment

The appeal is not from an appeal under Rule 18-3 or 23-6(8) of the Supreme Court Civil Rules, B.C. Reg. 168/2009, or Rule 18-3 or 22-7(8) of the Supreme Court Family Rules, B.C. Reg. 169/2009.

The following are involved in the appeal:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Constitutional/Administrative  | <input checked="" type="checkbox"/> Civil Procedure | <input checked="" type="checkbox"/> Commercial |
| <input type="checkbox"/> Family - <input type="checkbox"/> Divorce <input type="checkbox"/> Family Relations Act <input type="checkbox"/> Corollary Relief in a Divorce Proceeding |   |  |
| <input type="checkbox"/> Motor Vehicle Accidents   | <input type="checkbox"/> Municipal Law              | <input type="checkbox"/> Real Property         |
| <input type="checkbox"/> Torts   | <input type="checkbox"/> Equity                     | <input type="checkbox"/> Wills and Estates     |

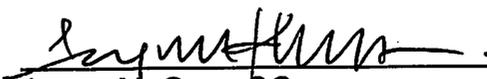
AND FURTHER TAKE NOTICE that the Court of Appeal will be moved at the hearing of this application for an Order that leave to appeal be granted, with costs in the cause of the appeal.

The grounds of appeal are.

- (a) that the Hearing Panel reversibly erred in denying the Appellant's application under section 171 of the *Securities Act*, R.S.B.C. 1996, c. 418, for an order to revoke or vary parts of the Commission's liability decision issued on April 25, 2018 (the "Application"); and
- (b) such other grounds as may be advised before the hearing of the application for leave to appeal.

The hearing of the Application occupied 1 day.

DATED at Vancouver, British Columbia, on 30 November 2018.

  
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Angus M. Gunn QC  
(EYFORD PARTNERS LLP)  
Solicitor for the Appellants

To the Respondents            British Columbia Securities Commission and  
Executive Director of the British Columbia Securities  
Commission  
(Respondents)

And to their Solicitors:        British Columbia Securities Commission  
1200 – 701 West Georgia Street  
Vancouver, BC  
V7Y 1L2

Attention:     Derek J. Chapman  
                  David A. Hainey

This Notice of Application for Appeal is given by Angus M. Gunn QC of the firm of Eyford Partners LLP, solicitors for the Appellants, whose address for service is 3000 – 650 West Georgia Street, Vancouver, British Columbia, V6B 4N7.

To the Respondents:

**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 appellant 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  
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

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**NOTICE OF APPLICATION FOR LEAVE TO APPEAL**

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DYE & DURHAM