December 24, 2008

Via Fax: 604-691-3036

Via Email: brusko@kpmg.ca

KPMG Inc.
777 Dunsmuir Street
Vancouver, British Columbia
V7Y 1K3

Attention: Mr. Robert Rusko

Re: **Bankruptcy and Insolvency of Erwin Singh Braich**
British Columbia Supreme Court File No. 193466VA99
Vancouver Registry

Dear Sir,

Further to my letter to you dated December 15, 2008, I have taken the liberty to again write to you, as you are still silent. This lack of response, plus your two (2) sentence reply to Mr. Pierce's five (5) page letter (single spaced) to you dated November 23, 2008, is cause for concern. Also, your attempt to burden the British Columbia Judiciary with respect to your duties at Trustee in Bankruptcy as prescribed by the *Bankruptcy and Insolvency Act*, is unprecedented.

I have read carefully both your letter dated October 22, 2008, and your Affidavit dated December 4, 2008. This is due to the fact that I am considered, until lawyers are officially on record in this matter, the spokesperson for a group of relatives and friends that are creditors of Mr. Erwin S. Braich.

One of these creditors is my brother from London, England . He is a gentleman who was a professor at the London School of Economics for many years. He met with Mr. Braich in London many years ago. I certainly respect his judgment in many matters; and the observations of many other creditors who are more insightful into matters than myself. I should point out to you that I was employed as an investigative officer for law enforcement agencies for many years.

It is astonishing that you would try and completely mislead a reader, and perhaps a judge, in your carefully scripted thirty (30) paragraphs which comprise your seven (7) page Affidavit. In this document you have provided a reader with a very selective set of facts which is absolutely reprehensible. Only upon cross examination by appropriate parties will much of the distorted picture that you paint become clear.

In paragraph 23 on page 5; you state “In my experience as a bankruptcy professional for over 30 years, I have never before encountered the level of non-compliance associated with this Bankrupt.” This is simply unbelievable given the repeated and quite huge errors and omissions with respect to your duties as Trustee in Bankruptcy.

I attach for your reference only one of hundreds of documents in my possession which would clearly refute your general theme as put forward in your above referred Affidavit. This letter is from your firm dated February 26, 2004 addressed to the Bankrupt’s counsel at that time, Ms. Katherine Wellburn of the firm Harper Grey Easton (now known as Harper Grey). In

this letter Mr. David Wood enumerates at least seven (7) letters (dated in 1999 through to 2003) which were written by Mr. Braich to your firm.

In at least fourteen (14) paragraphs of your Affidavit (specifically paragraphs 12-25 inclusive) you gloss over events and history in connection with the administration of this Bankruptcy. You characterize this terrible saga to be completely the fault of the Bankrupt. In fact, you state that this "has become an extremely frustrating process". The other topics that you have broken into sub-headings in this Affidavit are also quite distorted.

At paragraph 16 of your Affidavit you state "Mr. Braich was reported to be travelling around the world doing business at the time (and reported $10,000 per month in airfare expenses……)". It is shocking that until this Affidavit was produced by you and your counsel; not a single question in the four years, that have elapsed, was asked by the Trustee in Bankruptcy for any clarification relating to the contents in the voluminous Statement of Affairs provided to you pursuant to the *Bankruptcy and Insolvency Act*.

This is not only my view but is shared by a great many others; perhaps all creditors except for a handful of original creditors and maybe only three or four of the remaining creditors. Each of these three or four has an ulterior motive other than to collect all funds (including interest) owed by the Bankrupt to these parties respectively.

However it seems that your firm and others (excluding Mr. Braich) have not followed the statutory and court-ordered obligations. One of these very fundamental and basic provisions of the *Bankruptcy and Insolvency Act*

("BIA") is a properly convened first meeting of creditors. From this meeting will flow many important items.

We have waited for you to satisfy your duty to the General Body of Creditors with respect to this item for nine (9) years. We are still waiting. From the plain reading of the Court Order by British Columbia Supreme Court, made on September 12, 2000, it is very clear in paragraph three (3) that a "first meeting of creditors" was ordered. A copy of this entire Order is attached for your reference.

Were you involved with the misleading and untruthful comments originating from your counsel (McLean, Saba, Armstrong) shortly after this Court Order was pronounced? We know that on March 22, 2001, Mr. Braich wrote to Mr. Boale and wanted him to assist with respect to the misinterpretation of the Court Order which "clearly refers" to the need for a "first meeting of creditors". This particular letter is referenced as item number "4" in the February 26, 2004, letter to Ms. Katherine Wellburn from Mr. David Wood.

We do not like the fact that you only forwarded the last page (page 12) of the Official Transcript from the hearing before Master Patterson on September 12, 2000, and not the entire Official Transcript. We think that this is an insult. I furthermore believe it is highly unprofessional conduct for a gentleman in your capacity as a very senior partner at KPMG Inc.

This type of behaviour is consistent with your grossly skewed and extremely self serving Affidavit as referred above. This has been a glaring pattern which has been clearly established in this entire matter.

You and members of your firm clearly knew in and about 1999 and thereafter, that Mr. Steve Postman and Mr. Brian McLean worked at the same law firm. That fact presented, in my opinion, a very serious conflict of interest for these lawyers, which represented your firm, and also represented the Petitioner (Mr. Glen Walsh/Tercon Contractors Ltd.), from time to time and at the same time.

The single previous time that you changed counsel (until Mr. Mickelson's firm (Gudmundseth Mickelson LLP) was retained to try and prevent the litigation commenced by the Bankrupt in Washington State) was when Mr. Alan Brown (then at McCarthy Tetrault LLP) replaced Mr. McLean in a matter before Honourable Madam Justice Koenigsberg. This change lasted a very short time before Mr. McLean was again acting as your counsel.

At the time of this switch – were you aware that Mr. Brown was the husband of Ms. Shelley Fitzpatrick (Davis LLP)? Were you aware that she represented Mr. Herbishan Singh Braich (the Bankrupt's younger brother), for all Chambers Hearings, relating to the Petition for Bankruptcy, during 1999?

Are we wrong to think that this was another very poor choice of counsel for reasons of conflicts of interest? When did you become aware that Ms. Fitzpatrick has represented other individuals in the Bankrupt's family such as certain other brothers and more recently – the Bankrupt's mother, Mrs. Surjeet Kaur Braich – in various capacities? Virtually in every instance, her

client(s), who frequently changed from time to time, were engaged in an adversarial position to that of the Bankrupt.

You must be aware that Ms. Fitzpatrick represented Mrs. Surjeet Kaur Braich, in her capacity as one of three Trustees of the Estate of Herman Singh Braich, for the 10 day trial last February before Honourable Madam Justice Dickson?

It is quite disturbing to know that you have not paid any of the legal fees which are owed to the firm of MacKenzie Fujisawa LLP in the litigation referred to in the previous paragraph.

We understand that, in fact, despite the Bankrupt arranging for significant payments to this firm so that they would continue acting for Clock Holdings Ltd. (a secured creditor); the total outstanding fees now approximate $450 thousand.

This litigation against one of the “Bridgewater” companies (beneficially owned by all siblings of the Bankrupt – but not the Bankrupt) and others was commenced six years ago by the Plaintiff - Clock Holdings Ltd. – to try and reverse an allegedly fraudulent transfer of property along the waterfront in Mission, B.C. At the last moment in the trial - the alleged fraud - was withdrawn by counsel for the Plaintiff. This was extremely surprising to all in attendance including Honourable Madam Justice Dickson.

We need to know if you will you pay this outstanding account which is owed to MacKenzie Fujisawa LLP now - so that an appeal will be filed by

this firm in order to try and reverse this recent decision by the trial judge? I must add that this judgement pronounced on December 8, 2008, will likely be considered one of the biggest mistakes ever made by a newly appointed judge of this Honourable Court. Her fifty (50) page decision is full of conjecture, contradictions, errors in judgement, and oversights. Honourable Madam Justice Dickson made some grave errors in her findings. This should not have occurred despite the obviously deficient prosecution, as I am informed.

Often times a learned trial judge will see something from their sole perspective. For example on March 27, 2006, the Honourable Madam Justice Dillon pronounced a judgement in favour of the Petitioner in an unrelated matter; which was overturned by the British Columbia Court of Appeal on December 3, 2007. Ironically this panel of judges included the Honourable Justice Lowry. On October 1, 1999, when Honourable Justice Lowry was sitting as judge on the Supreme Court, he appointed KPMG Inc. as a Receiver in this bankruptcy. This was made in error, in my opinion as the Honourable Court had not been provided any meaningful and comprehensive Statement of Assets and Liabilities by Mr. Braich.

We would like to know if you as the Trustee in Bankruptcy, pursuant to the Bankruptcy and Insolvency Act (the “BIA”), or the Petitioner retained Mr. McLean’s law firm? Does the BIA allow this type of activity; even after much complaining (about conflict of interest) by various parties?

Why was Mr. Brian McLean and/or his law firm allowed to act as counsel for KPMG and the main Petitioner, when he/they were clearly conflicted?

This conflict was later plainly confirmed by the Honourable Madam Justice Morrison in 2004. It was during this same Chambers Hearing where the previously improperly obtained Warrant for arrest of the Bankrupt (in an *ex parte* application by Mr. McLean) was vacated.

Therefore; do you really believe he, or his firm, could have fairly protected the interests of the General Body of Creditors, in the years that have passed? In my opinion their interests and goals as ethical professionals must be undivided not mixed.

This conflict of interest was brought to your attention repeatedly, including during the tape recorded meeting, lasting some four (4) hours, at 777 Dunsmuir Street, Vancouver, B.C., on January 20, 2000. Prior to this meeting and quite often afterwards it was brought to your attention in writing.

In my opinion, it is despicable that there have been so many different conflicts of interest amongst professionals, and others, in this entire affair. As you are a prominent figure in this matter it comes as no surprise that you would be feeling quite frustrated at this time; as you state in your Affidavit at paragraph 25.

From my review of this matter; Mr. Braich offered your firm, some nine years ago, the sum of $100,000 for a global review and summary of certain of his assets. This was of course, recorded on tape with your knowledge and permission. As we all can calculate; this generous offer was ten (10) times the amount that the Petitioner had paid you as a retainer.

Mr. James Nekrasoff, a former bank manager, was in attendance at the above referred meeting on January 20, 2000. It is extremely misleading, in my opinion, when I read your statement, on June 15, 2001, to then Corporal Tim Alder, wherein you state that he was brought to the meeting as a “foil” for Mr. Braich. Exactly what is your definition of a “foil”?

Mr. Nekrasoff, for your information, was on the Board of Directors of the B.C. lending institution that was involved in the “Sandy Hill” project. Later in this letter I will outline specifics about the monetary loss and damages that your firm and others have caused with respect to this asset.

One of Mr. Braich’s lawyers has recently sent me copies of the Bankrupt’s many clear, detailed, and comprehensive letters. I knew that some of these letters existed before as I had read most of them soon after they were written and sent to many parties, including KPMG. Some of them are referenced in Mr. David Wood’s letter dated February 26, 2004, which I mention earlier and enclose for your reference.

It is with much amazement that you could have stated to then Corporal Tim Alder (on June 15, 2001) that “we answered the letter mostly in very cryptic form because…….....because to go into a long reply to his letters just we don’t believe is warranted.” Your answer was given to the investigating officer when questioned as to a “recent letter”.

On that day you further stated to the investigating officer "…….but his requests don't make any sense." It is truly incredible that a man with your experience could make such statements when Mr. Braich gave you many details of assets globally situated for your firm to preserve. Our legal advisors note that this ridiculous type of attitude, by your firm, from the outset was clearly in violation of the BIA.

For your information; "legal advisors" are not only knowledgeable people from Canada but the many attorneys in the United States that are preparing potential litigation against various parties. You are well aware that one major component of this litigation falls under the *Racketeer Influenced and Corrupt Organizations Act* (the "RICO"). You must be aware that any damages awarded in an action of this nature will cost any culpable party three times actual damages plus all associated costs.

In my opinion, and the opinion of many experts (some of these are your friends and your acquaintances), there have been truly serious breaches of trust in these complicated financial matters which involve large sums of money.

In just one instance, as an example, your firm's then acting counsel Mr. Brian McLean scared some lawyers, in the Caribbean islands, from completing a deal which would have resulted in all lawful creditors getting paid, in full, with accrued interest and one half of any legal costs incurred by any party.

Another creditor has already asked you this question and you have not yet responded. I am asking you again herein; how much, if anything your firm knew about this letter? For your ease of reference this “self-explanatory” letter is dated February 20, 2002, and can be found as an Exhibit attached to Mr. Braich’s Affidavit, duly sworn and filed, in the B.C. Supreme Court, Vancouver Registry, on October 5, 2007.

Did any of your staff sanction this letter? Why would your counsel act like this and hurt the very creditors that you are supposed to protect? Perhaps it is due to the fact that his “actual” client (The Petitioner) is and was not owed the funds as alleged? It is the speculative view of many experts that the only debt owed to the Petitioner totalled US $130 thousand. The balance had, of course, been converted to equity.

On page 2, I have mentioned the name of a lawyer. Now this same lawyer - Mr. Steve Postman - works at the Federal Department of Justice in Vancouver . His address is 900-840 Howe Street, Vancouver, B.C. at the Office of the Attorney General of Canada. I think that it is more than co-incidental that he used to be a member at the law firm which has represented Mr. McLean’s law firm in B.C. Supreme Court proceedings in the last couple of years. Of course, no law is being broken by this fact - on the face of it.

Turning to another important item; where does the Petitioner reside for the purposes of the filing of appropriate taxes? In Kamloops, B.C., or Valletta, Malta? Do you know this fact, as it will become very important soon? His money sitting in the offshore banks, like previously at the Hambros Bank,

will be very interesting to income tax authorities. I realize that it may not be ethical and or professional for you to answer this particular question.

I am informed by some experts in the field of bankruptcy administration that the minutes of the so-called “first” meeting of creditors that you have sent, with your 3 page letter, as an attachment, are not complete in their format. There is much information missing. Please let me know if this exact format is standard practice at your firm?

Why was your current counsel – Mr. Howard Mickelson – in attendance at this meeting? It is common knowledge that his client, Pat Power Forest Products Ltd., had sold their entire debt (owed by Mr. Braich) to the firm of PricewaterhouseCoopers LLP at full face value (in excess of US $1 million).

Why was Mr. Jas Butalia, formerly of BDO Dunwoody Ltd., allowed to become an Inspector when it was known or should have been known that he was the Petitioner’s accountant and/or tax adviser? Did your firm know at the time of the appointment that he was one of the Petitioner’s accountants? Did you investigate his occupation and role in these matters? Were you aware of any correspondence originating from your Vancouver office which cautioned Mr. Butalia from acting improperly?

It seems to many of us that Mr. Butalia should have had the common sense to resign as an Inspector; as was the case for Mr. Chris Calverley, Bank Manager (Scotiabank, Mission, B.C.), upon reading one of Mr. Braich’s many long and clear letters to your firm. This was just a few weeks after this ad hoc meeting had been held. Was he, along with the other two individuals,

properly vetted and elected pursuant to the BIA? Actually, isn't this the meeting that was found to be improperly convened by the B.C. Supreme Court?

I am not making many comments about the Order pronounced by the B.C. Supreme Court whereby the Honourable Master Patterson invalidated the improperly convened so called first meeting of creditors, pursuant to the BIA. The Court ordered that a proper first meeting of creditors be held.

This opinion is not shared by your current counsel; for reasons which benefit your firm. I have reviewed this matter very carefully, along with people much more experienced than I, in these matters, and we simply do not share the same view as your current counsel.

Your current counsel now submits to Honourable Chief Justice Brenner – that the subject meeting was simply "incomplete"- this view seems quite extraordinary. However, much will be learned about this matter from the Court of Appeal and their conclusion.

Eventually Mr. Butalia will be asked, by our lawyers, under oath, in Canada and the U.S., questions about what he represented to your firm or your staff members from time to time? Please provide me with his contact information so that I and/or other creditors and their respective counsel may contact him? He resides in Calgary, Alberta, as do I.

It is ironic that Ms. Janet Bennett also lives in Calgary, Alberta. For your information; it will be proven in the B.C. Supreme Court that she committed

an act of perjury in the very important Affidavit of Truth of Statements in Petition on or about June 25, 1999.

You state in your letter that the "order was specifically drafted to compel Mr. Braich to attend that meeting". Why was "that meeting" never scheduled? KPMG could have followed this simple step and could have completed their stated objective and complied with the Order at the same time?

I have carefully reviewed very clear proof, that KPMG had much material and documents, describing and carefully indicating and/or pointing, from a very early date, towards many valuable assets owned by Mr. Erwin Singh Braich or his companies.

Exhibit "H" attached to the Affidavit sworn by the Bankrupt, on October 11, 2007 filed in this matter at the Vancouver Registry is an independent evaluation dated May 12, 1998 which shows the hundreds of millions in (US) dollars of net values of global assets controlled by the Bankrupt and the various offshore Trusts. In this evaluation, a reader can see that the high end of the range of net value exceeds one billion US dollars.

You must know by now that Mr. McLean while acting for Mr. Walsh and/or Tercon rejected any and all opportunities presented to his client (the Petitioner) to participate in any financial manner with respect to the asset which I refer to as "Sandy Hill". A thorough presentation was made on behalf of Mr. Braich to Mr. McLean, for the benefit of his client, at his office in the Park Royal Shopping Centre in West Vancouver. History has

proven, without doubt, that Mr. McLean's comments about the "lack of potential" of this residential development were obviously a huge mistake.

Kindly let me know exactly what steps were taken by KPMG to protect the asset known as the "Sandy Hill" development located in Abbotsford, British Columbia? One of Mr. Braich's lawful creditors was at that time a duly licensed real estate agent. She also happens to be related to me by marriage.

I ask because I am informed that this 50 plus acres was listed on all of the early versions of the "qualified" Statement of Affairs (the "SOA"), and has since been subdivided, and the net loss (pre-tax) to the Bankrupt's Estate is valued in excess of $75 million. This median amount, deduced from valuations that I am aware of, does not include any accrued interest.

I assure you that very reputable firms have been retained to provide these valuations. Also I am informed that the same SOA had many other companies listed with substantial net equity. Please forward to me any evidence with regards to the investigative work that was done to assess the value of the other listed items on the subject SOA.

The important thing for me to outline for you is that many of the assets were described, in the many detailed letters, sent to you and your staff members well before 2004. Please let me know what work your firm has done since the start of this bankruptcy to realize the value of the assets listed on that Statement?

Another callous maneuver was when your firm liquidated Mr. Braich's fully paid up – forever – (on his own life) insurance policies to pay your own accounts which have not been appropriately scrutinised. My notes indicate that one or more of these policies was issued by Maritime Life Assurance Company. It seems very unreasonable that if your firm needed funds that these funds were not borrowed from Maritime - by using the cash surrender values as collateral for a loan.

I have many friends in Canada that are life insurance agents. What happens if Mr. Braich has since developed a disease and is not insurable? Who will pay any increased premiums, if applicable, based on his current health? Mr. Braich has told me that this was potentially and could still be an extremely injurious matter for him; to not have had the courtesy of timely notification, from your firm, prior to this heavy-handed action. I am informed that he only learned of this several years later.

Indeed, this above action may not be unlawful pursuant to the BIA – but was it the best and most reasonable course of action for an esteemed firm such as KPMG? Was there no other alternative? Your firm, once again, takes a surprisingly aggressive approach in this matter.

Has it not "rang a bell" or "set off an alarm" in your mind that not one creditor, in nine years – other than the Petitioner- has contributed one penny towards your fiduciary responsibility? Not even his brother - Herbishan Braich - who aided in the malicious Petition in 1999.

Not a single dime has been paid by anyone; other than conversion of the Bankrupt's assets and a recent payment ($15,000) some 6 or 7 years after the first small tranches advanced by Mr. Walsh/Tercon Contractors Ltd.

Speaking of insurance matters; how could your firm fail to insure the valuable contents of the Bankrupt's residence? I have copies of Mr. Braich's letters addressed to your firm wherein he specifically notifies you of this need. The burglaries, involving most of the valuable contents, created losses of a few hundred thousand dollars. An ensuing investigation by The Royal Canadian Mounted Police (which involved dusting for fingerprints) led to an allegation of the perpetrator's identity.

Proper professional duties being discharged by the Trustee would have preserved many hundreds of millions (dollars) which could easily have repaid the $15 to 18 million in total debts owed by Mr. Braich. This amount included the donations, of about $5 million, which he had pledged to universities and other organizations in Canada. What this means, plain and simple, is that his "hard" debt (excluding charitable donations) was approximately $10-13 million dollars; at the time of the malicious Petition filed in 1999 and not the rumoured amount of $50 or 100 million.

I am aware that this amount included approximately $1 million dollars owed to Revenue Canada. As you should be aware this income tax debt was fully paid long ago (including accrued interest). When exactly Mr. Julian Jewra (from the now named Canada Revenue Agency) ceased his role as an Inspector – if he legally ever held that position - is of great interest to us?

Has your firm fulfilled all duties with respect to notification to all concerned parties, pursuant to the BIA, with respect to any deemed or actual change in the body of Inspectors?

I am informed that certain of the “Office of the Superintendent of Bankruptcy” personnel had decided long ago that they were not interested in examining Mr. Braich until after the Trustee in Bankruptcy had spent the funds to do this. Is this because the Office of the Superintendent of Bankruptcy had concluded that Mr. Braich was never a Bankrupt?

It is my contention that most, if not all, of my questions have little to do with your current lawyer’s pending Motion, whereby you are trying to improperly utilize the B.C. Supreme Court. Other creditors and their legal representatives share my view on this point. I specifically refer to your recent responses to some other creditors, stating that a Motion will, fully and properly, deal with items that you are responsible for answering.

Furthermore it is my belief that Mr. Mickelson is not acting in the best interest of the General Body of Creditors, but rather continues the pattern of bias against the General Body of Creditors and the “witch hunt” against Mr. Braich. This began from the “so called” first meeting of creditors.

It seems, in my opinion, very improper for this lawyer to conduct any duties pursuant to the BIA, regarding personal financial information about Mr. Braich, when he was also retained to represent your firm, in an action commenced in the B.C. Supreme Court, to protect your firm against proceedings which were ongoing in Seattle, Washington.

This American lawsuit involved several allegations for which combined damages may have exceeded US $500 million. Many valuable items, evidence and documents went missing and have not been returned to the Bankrupt to this day! Some of these documents were to be utilized in the Vietnamese oil and gas related litigation involving a subsidiary of Kingsgate Resources Inc.

By the way, you should be advised that these allegations against many of the same named defendants will be reinstated. This time it seems that it will be much easier to prove for two reasons. Firstly, a plethora of new evidence, which was previously not relied upon, will be made public. Secondly, I am told by involved parties – that certain individuals are willing to become "whistle blowers" as you know this will greatly enhance the likelihood of success in the upcoming RICO related action(s).

I reiterate to you that the pending Motion before the B.C. Supreme Court (containing 6 separate items) has little to do with most of the questions and concerns I am raising in this letter. It seems that it is intended to delay your duty to answer reasonable, valid, and relevant written inquiries made to the Trustee in Bankruptcy.

Furthermore I am requesting that I am added as a party, in this matter (File No. 193466VA99 Vancouver Registry), so that I am properly served at the address given at the end of this letter and can retain counsel to respond appropriately. When I have retained counsel in British Columbia; the task of perfecting proper service will be made easier for your counsel.

We are entitled to answers and prefer a comprehensive response from you, pursuant to the law (BIA). Once again I state that it is unfair to the creditors and the Court, and highly unprofessional for you, to continue to defer or deflect all of our questions to the B.C. Supreme Court.

We are shocked that you would instruct your lawyer to bring a Motion, wherein criminal charges are being discussed, in any way, against Mr. Braich once again. I remind you, and others, of the 7 ill-considered and completely reckless criminal charges that were laid against Mr. Braich.

Mr. Braich and his various lawyers argued vehemently against these 7 criminal charges, even though the Crown was anxious to have Mr. Braich plead guilty to even 1 of the 7 charges. You must know that this one plea of guilt would have meant the payment of a $500 (five hundred dollar) fine. This debacle lasted for almost 6 years.

Our Canadian justice system was further severely misused for the benefit of certain people, with the improper garnering of not one, but two, Warrants for arrest of Mr. Braich. I seem to recall some discussion about an attempt made by your then counsel – McLean, Saba, Armstrong – seeking some sort of extradition arrangement with another country. This matter will be investigated further.

There are many interested people and groups that will apply appropriate legal pressure to uncover and illuminate the truthful motives of certain involved parties. Exactly what role did you play in this?

From my notes, and discussions throughout with other creditors, I am aware that the charges were stayed on the eve of a three week trial in 2007. Mr. Braich finally had to represent himself in British Columbia Provincial Court in the final stages of this “persecution”.

All Mr. Braich had to do was issue subpoenas for the five named Crown witnesses (including you) and more than fifty other persons. It is extremely peculiar that Ms. Linda Vogt, Mr. Bill Bil, and Mr. David Wood were not named as Crown witnesses. No fewer than four lawyers, (Ms. Katherine Wellburn, Mr. Terry La Liberte, Mr. Nathan Ganapathi, and Mr. Nicholas Weigelt) billed fees for legal services, provided for Mr. Braich, in this long and plainly extortive ruse, which exceeded $200,000.

It has been extremely important to all of us that the truth become public knowledge. Hence the obvious need for the forthcoming book and the documentary and feature film.

I need not remind you that this is the same Mr. Braich, who spent in excess of $5,000,000 (five million), on professional fees and other associated costs, in his protracted matrimonial and child support litigation. Much of this cost was incurred in order to obtain fair visitation rights and have a meaningful role in the lives of his two children. It should also be noted that Mr. Braich, in order to avoid a long legal battle and disrupt the lives of his children, had offered his former spouse approximately three (3) times the amount eventually ordered by the Honourable Court.

It is my considered opinion that in this present situation where he finds himself; Mr. Braich has vast numbers of financial supporters. You will soon realize this fact – if there is any doubt in your mind or anyone's mind whatsoever.

You state in your letter that Mr. Braich "failed to provide meaningful disclosure as to his assets and liabilities, it appeared continued pursuit of Mr. Braich would have been futile". I have, in this letter, presented items that directly refute this statement. We will only be able to translate the lack of your production of a glimmer of evidence and/or any prolonged period of silence to be indicative of your firm being guilty of negligence and/or misconduct.

I repeat, in fact, many times, we the creditors (for whom you act as the Trustee and are supposed to protect) attempted to preserve assets, such as the "Sandy Hill" development (mentioned earlier) and were thwarted and frustrated in our attempts. Your firm and its lawyers did not follow the Court's very clear directions to you with respect to the litigation in British Columbia Supreme Court involving this property.

You were quite aware of what had gone on with regards to the "Sandy Hill" development. You must have reviewed at least one or more of the roughly fifteen (15) Caveats (by fifteen different individuals), that were placed against this property? Do you honestly think that each and every one of these people were lying?

The B.C. Supreme Court Madam Justice Loo, in 2001, directed that KPMG Inc. be involved by taking certain steps to place a Certificate of Pending Litigation (in place of further Caveats) and preserve this very valuable asset for the benefit of the General Body of Creditors. This is the very same asset that your firm had listed in the qualified Statement of Affairs in 1999!

Why did KPMG Inc. not send a representative to the Chambers Hearing, despite being told by various creditors that another asset, which belonged to Mr. Braich, was being absconded? It is the opinion of our legal advisors that this alleged misconduct will now cost your firm much money for the damages and financial loss to Mr. Braich and to the General Body of Creditors.

Were you aware, at anytime during the last nine (9) years, that Mr. Gordon Elliot (Mr. Braich's counsel during the hearings of the Petition Application throughout 1999), was paid in excess of $125,000 by Mr. Braich, to avoid being placed in bankruptcy?

In fact, Mr. Elliot, in his capacity as an Officer of the Court, was tasked with reviewing Mr. Braich's net equity/value in global assets and to report back to the Court and Mr. Walsh's lawyer. Mr. Brian McLean had full knowledge of this undertaking. In fact, this was the arrangement that Mr. McLean and Mr. Elliot had agreed to prior to October 1, 1999.

The negotiated deal, with Mr. McLean, was that Mr. Elliot go on a trip, at Mr. Braich's sole expense, and evaluate Mr. Braich's global assets, to the best of his ability, one country and one asset at a time. Upon being satisfied

that Mr. Braich had approximately a net amount of $20 million in value, he would return back to Vancouver. Approximately one half dozen projects were identified for Mr. Elliot's potential perusal.

I understand, Mr. Elliot only needed to visit Sofia, Bulgaria, and only one asset before being satisfied that the value of Mr. Braich's net assets were worth several hundred million dollars. He confirmed that another esteemed international firm, PricewaterhouseCoopers LLP – had been paid nearly two (2) million dollars for their professional services rendered in a period of approximately two (2) years by Mr. Braich and/or his affiliated corporate entities.

In fact, it is clear that Mr. Braich's business enterprise in Bulgaria alone, if not impeded by the Petitioner and all subsequent heinous activity, would have been the largest non-government employer in the country of Bulgaria – with approximately seven (7) thousand employees.

I have reviewed the recent email written by Mr. Emmet Pierce. Perhaps you know that this gentleman is assisting other creditors and is the eldest son of the former Dean of Arts at Simon Fraser University in Burnaby, B.C. This connection affords him opportunities for much dialogue with experts on law and criminology. I would like to clarify and add more details to a few points. In point "B" - Mr. Pierce doesn't mention any involvement of Mr. Gordon Elliot, (as I have above) and I feel that I portray a more detailed picture of the extent of misconduct by involved parties.

In point “D” - it should be noted that the conflict of interest was in the mind of Ms. Wellburn. I note that this conflict of interest involves the very same subject property that has been fiercely disputed over and recently ruled on by Honourable Madam Justice Dickson. It does not take much effort of skill to understand and realize that “Bridgewater” stole this property for tens of millions of dollars below market value.

For a hotly disputed litigation, spanning many years and costing the Plaintiff (Clock Holdings Ltd.) approximately one half million dollars, it is simply amazing that your firm would not have insisted that the Plaintiff and/or their counsel retain several experts on issues which relate to access, rights of way, riparian rights, feasibility and/or market evaluations as at the date of the alleged fraudulent transfer.

I understand that a tremendous amount of time and effort was expended by the Plaintiff and their counsel for many matters in this subject litigation. Had you provided support or constructive advice, in order to properly discharge your duty pursuant to the BIA, perhaps the present status or matters may have been different.

However; Honourable Madam Justice Dickson just may never have realized the obvious. In excess of thirty (30) acres of river frontage (outside of the ALR) was purchased by “Bridgwater” for less value than of a modest home in Calgary. You should know that my family and I resided, some years back, in Abbotsford B.C.

Also it should be duly noted that in ancillary litigation, relating to the improprieties within the administration of the Estate of Herman Singh Braich, Deceased; evidence was provided to the Honourable Court by the Estate's long time Chartered Accountant that some thirty (30) years ago the former president of the then Estate held corporation (Mr. Erwin S. Braich) rejected an all cash offer in the range of $10 million for this subject waterfront property. Just one of the many dozen improprieties is that there has been no Passing of the Accounts in the last thirteen (13) years pursuant to the law.

For your information some internationally renowned architects and developers have all opined on the waterfront project in Mission, B.C. Their consensus, along with that of the District of Mission Planning Department and City Council is that the waterfront project is a potentially world class project.

As you are aware, or should be aware much information is publicly available about the waterfront project. Various media outlets have also covered many aspects of the waterfront development. In one particular article, while referring to the waterfront project, the economic development officer for the District of Mission is quoted as saying; "He estimates that the project will engender about $2 Billion in investments." A copy of this article, along with a copy of an announcement made by the B.C. Government, with regards the waterfront project, are attached for your ease of reference.

It also should be noted that the Kenyan born, newly re-elected, Mayor of Mission, B.C., (a former roommate of Canada's current Prime Minister -

The Right Honourable Mr. Stephen Harper), who holds a Masters degree majoring in City Planning from the University of Washington, believes that the waterfront project is world class. Copies of articles about the Mayor and his views on Mission, B.C. and the waterfront project are attached to this letter as well.

Fortunately for us, Honourable Madam Justice Dickson has provided many written reasons, which may lay the foundation for litigation against Fasken Martineau LLP, Davis LLP and others.

You use words such as “futile” and “sensible leads”. Please provide a log of the time your firm actually spent on this file. Please identify exactly who was spoken to and the nature of the discussion between you, Mr. David Wood, Mr. Darren Bidulka, Mr. Stephen Boale, and any other staff in those billed hours? Again, to be clear, I am requesting copies of documents and clear evidence.

I am aware that you are involved as a Trustee in Bankruptcy in at least one major bankruptcy in Canada (Portus Alternative Asset Management Inc.) (“PAAM”) and probably have spent much time in Toronto, Ontario. Due to the enormity of that file and the hundreds of millions of dollars involved, did you really have full knowledge of what was going on in the Braich file?

Would it be reasonable to conclude that other members of your firm were more familiar with the Braich file? We are cognizant that the vast majority of the funds thus far recovered will be subject to release from the Societe Generale Bank over the next thirty five (35) months. It also appears that

your firm will be relied on by the Crown in the criminal proceedings stemming from the PAAM matter. We raise this issue only to accurately assist us in determining the amount of time you actually spent (over the past nine (9) years) on the Braich matter. Furthermore we need to assess your available time in the upcoming months.

You state in your letter that Mr. Braich failed to post security for costs after appealing a Court Order pronounced by Honourable Chief Justice Brenner. As a "Bankrupt" is he even allowed to post costs pursuant to the BIA? Did you not have him in a catch-22 position? Do you really think that posting costs was difficult for Mr. Braich, his friends, his contacts, his supporters, the vast majority of the General Body of Creditors, and/or other very interested parties?

On the extremely important matter in Washington State, which gave rise to the lawsuit as filed in Seattle, Washington, on February 2nd, 2007, I ask you if you personally were aware of the surrounding conduct of your staff leading up to and throughout all of this unlawful activity? Did you authorize any part of this activity which lasted for months? For your information; I attended in Washington State, on behalf of many creditors, to view the returned items and look at some of the information that was disseminated and meet with involved parties.

When you learned of any portion of this egregious violation of Mr. Braich's rights – exactly what steps, if any did you take to remedy or rectify this situation? Do you remember any dissension among your staff members in the Vancouver office relating to this event in or after 2004?

Do you have personal knowledge of the identity and motivation of the woman who leased commercial space from Mr. Glenn Walsh in Kamloops B.C.? In order to assist you in remembering this lady; I will tell you that she was the former interior designer who met with Mr. Braich and then accompanied by her friend, viewed and examined the contents of his hotel room. This seemingly happenstance meeting took place firstly, pool side at The Travel House Inn in Bellingham, Washington.

Are you aware of the comments that Mr. David Wood and others made to persons in Vancouver, B.C. at the time of the unlawful search and seizure, and subsequent dissemination of property (documents, agreements, etc.), from Mr. Braich's hotel room in Bellingham, Washington?

Are you aware of any of your staff members or lawyers withholding pertinent information during a B.C. Supreme Court Chambers Hearing? I remind you that you attended the particular court hearing before Honourable Madam Justice Morrison.

Furthermore it was this learned judge that directed your firm to undertake to refrain from specific activity pursuant to your duties under the BIA. My records indicate that you complied, in writing, consistent with the Honourable Court's direction. Your firm was not alone in facing this "reprimand"; as the law firm of McLean, Saba, Armstrong were also instructed to confirm these same undertakings by the Honourable Court.

You must be aware that Mr. Boale and Mr. Wood are currently acting for an affiliate of Tercon Contractors Ltd. (Tercon Mining PV Ltd.) in another multi-million dollar bankruptcy matter? Has it ever crossed your mind why Mr. Brian McLean and his client, another company controlled by Mr. Walsh, are utilizing the services of their newly formed firm (Boale, Wood & Company Ltd.)? Might this be due to a potentially cozy relationship they have with one another? This situation begs many questions.

Are you aware that Mr. Brian McLean and/or Mr. Glenn Walsh have previous to 1999 utilized extortive measures by improperly filing and or threatening to file a Petition for Bankruptcy, such as the one filed against Mr. Braich?

I would like now to turn to another item of which you must have direct knowledge. This matter revolves around the litigation commenced by a B.C. Trust named The Peregrine Trust. As an interested party in the global affairs of trusts beneficially owned by the children and/or friends of the Bankrupt; I have observed many court hearings which have taken place in Calgary. I have received briefings about activities in ancillary lawsuits in the State of Nevada. The lawsuit that I refer you to is widely known as the “Kingsgate/ Peregrine Trust/ Gold Coast Resources” litigation involving several hundred million dollars (US funds).

This matter involves significant funds and you and your firm likely is very aware of the specific allegations made in this dispute. The dispute involves many parties. Another reason, why I believe, your firm is knowledgeable about this matter in the Court of Queen’s Bench of Alberta, is that the law

firm – Fraser Milner Casgrain LLP – is defending certain lawyers (formerly members of Gowling Lafleur Henderson LLP and/or their predecessor) for their alleged wrong doing. This same firm acts for the investors of PAAM to which I make reference earlier in my letter to you.

There is little doubt that the recently deceased partner - Mr. Douglas Knowles was your close acquaintance. This gentleman, formerly the Chair of this law firm's National Insolvency Workout Group, "was regarded as one of the best lawyers in his field, not only in Canada, but internationally." I have taken this excerpt from the Fraser, Milner, Casgrain, LLP website.

In fact, it was Mr. Knowles written opinion which was filed, by your attorney, in Seattle, Washington, before U.S. federal judge The Honourable John Coughenour. His opinion and its conclusion were challenged by very experienced counsel who provided their own opinion for Mr. Braich's attorney.

Unfortunately due to the delay in continued or renewed prosecution of the violations to Mr. Braich in this jurisdiction, which have come about temporarily, by the pronouncement of the Reasons for Judgment by Honourable Chief Justice Brenner of the B.C. Supreme Court, it is not yet known whether Mr. Knowles opinion was correct in part or in full.

I believe, under the present circumstances, that there appear to be good reasons for not making an application to the B.C. Supreme Court to persuade the Honourable Chief Justice to the degree that the merits of prosecution of

these alleged violations surpasses the very low test imposed by the courts pursuant to certain provisions of the BIA.

I and many others were very satisfied to learn that an out of court settlement was reached between Mr. Braich (The Plaintiff), and both Defendants; The Royal Canadian Mounted Police, and The Government of Canada in this litigation.

Now I turn to the very point which is extremely troubling for myself and other creditors. I reiterate that I have attended various hearings in courtrooms, in Calgary, Alberta, during the last few years and again, have personal knowledge of these matters.

You must be aware that Calgary lawyer Mr. Gerald Scott Q.C., a partner in this same national firm (Fraser Milner Casgrain, LLP) has often pointed presiding judges in the Alberta Courts to various types of misleading information about Mr. Erwin Braich and his status as an un-discharged Bankrupt. As you may be aware - Mr. Braich is merely the Trustee for the Plaintiff (The Peregrine Trust). However the contents of the next paragraphs are very difficult to understand as to their motive.

Mr. Brian McLean, recently filed an Affidavit, in the Vancouver Registry, indicating that he had been recently corresponding with a named Defendant's counsel (Ms. A. Noto) in a lawsuit filed by The Peregrine Trust in Las Vegas, Nevada.

He further deposes that he has recently been speaking with Mr. Patrick Hannon from Halifax, Nova Scotia, a mining engineer and a principal of a company named as a Defendant in this same lawsuit.

I am aware that Mr. McLean has also been assisting the same group of defendants in Calgary, Alberta. This was done repeatedly and while he acted as your counsel as Trustee in Bankruptcy. You may remember receiving copies of correspondence which passed between Mr. John Fiddick, of the Vancouver law firm Clark Wilson, LLP, and Mr. McLean.

I was truly shocked to read Mr. McLean's refusal to answer the pointed and frank questions put to him by Mr. Fiddick - then acting as counsel for Mr. Braich. You may be aware that Mr. Fiddick's partner - Mr. Mark Weintraub also acted for the Bankrupt, in his capacity as a trustee of his late father's Estate.

Copies of the correspondence passed between Mr. John Fiddick and Mr. Brian McLean are enclosed along with this letter. The questions, as posed by Mr. Fiddick on June 26, 2006, and August 15, 2006, have yet to be answered. I request that you please review this correspondence and answer the questions that your conflicted counsel neglected to, some two and a half years ago.

What purpose does this activity serve pursuant to your duty to the General Body of Creditors under the provisions and intent of the BIA? This activity persists despite being warned by U.S. counsel that his actions were being closely monitored for obvious reasons. The Peregrine Trust has spent several

hundred thousand dollars to date for investigative work and associated legal costs on various continents in this litigation.

Also, you must be aware of the recent communications between members of your firm, and or its lawyers, with attorneys and other individuals, including but not limited to Mr. William Poppe, domiciled in New York in another dispute. I do not understand what possible benefit this type of discussion and communication could possibly have in aiding your role as Trustee in Bankruptcy, pursuant to the BIA.

Both of these disputes involving matters with the regulators in Nevada and parties in New York give rise to the ever increasing actions which are subject to prosecution and/or litigation if found to be improper as prescribed by certain RICO statutes.

I have attached a couple of Declarations and other material for your ease of reference.

I would appreciate your considered response to my questions contained herein. The General Body of Creditors have been more than patient with the actions and inactions of your firm and it seems clear, that if left alone, this file would continue on for eternity. Perhaps that is what KPMG and others are hoping for?

Truly yours,

Yashminder Singh Sidhu

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