



INSOLVENCY CONSULTANTS & TRUSTEE IN BANKRUPTCY

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Vancouver, BC V6C 2V6  
Tel 604 605 3335  
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[www.boalewood.ca](http://www.boalewood.ca)

February 20, 2009

To the Limited Partners of  
Elite FX Limited Partnership

Dear Sirs/Mesdames:

**In the Matter of Elite FX Limited Partnership et al**

As you are aware, Boale, Wood & Company Ltd. was appointed as Judicial Trustee and Receiver for the following entities pursuant to an Order of the Supreme Court of British Columbia on October 9, 2008:

Elite FX Limited Partnership;  
Elite FX Management Inc.;  
Elite FX Investments Inc.; and  
Elite FX Trading Inc.

(collectively, “Elite FX”)

We write to advise that we have filed an application to Court to approve a proposed claims process and distribution scheme, as indicated in our preliminary report. The application materials can be found on our website at [www.boalewood.ca](http://www.boalewood.ca) under Corporate Matters and include the following:

1. Notice of Motion dated February 17, 2009, with attached draft Order;
2. Notice of Hearing dated February 17, 2009; and
3. Affidavit of John McEown sworn February 17, 2009.

If you are unable to access this information on our website, please contact us immediately and we will arrange to mail this information to you or in the alternative, you may pick it up at our offices.

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Attached to the Notice of Motion you will find a draft Court Order. The draft Order sets out the claims process and distribution scheme that we are recommending to the Court. The proposed process is summarized as follows:

### **Claims Process**

- We will send a notice to each known Claimant, including investors, that sets out the amount owed to the Claimant based on the records of Elite FX;
- We will calculate the claims based on the principal advanced by each investor, and the amount returned to each investor, without regard to how those amounts were characterized (e.g. as interest, dividends, redemptions or profits);
- You will be required to confirm within a specified time period that the amount of your claim based on the records of Elite FX is correct and that the payee and address information for distributions is accurate;
- If you disagree with the amount of your claim, you must file a Proof of Claim within a specified time period setting out the facts (and attaching all relevant documentation) in support of your claim. Upon receiving the Proof of Claim, we will allow or disallow the Proof of Claim. If you still disagree with our decision, you are entitled to appeal that decision to the British Columbia Supreme Court;
- **Please note that the Order will contain strict time limits for confirming your claim, filing a Proof of Claim, filing an appeal, etc. The failure to abide by these time limits may adversely affect you.**

### **Distribution Scheme**

- We are recommending that all investors be repaid on a *pro rata* basis, based on the amount of their claim, with the exception of certain claimants who can prove that their subscriptions were not completed when the Cease Trade Order was issued;

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- We intend to make an interim distribution in the amount of approximately \$900,000, which will include a payment of approximately \$300,000 to the claimants whose subscriptions were not completed at the time the cease Trade Order was issued and a payment of approximately \$600,000 to the other claimants. Further distributions will be made as and when appropriate.

Please note that the Court may vary or amend this proposed claims process and distribution scheme.

The hearing for this matter is scheduled for March 20, 2009 at 9:45AM at:

British Columbia Supreme Court  
The Law Courts  
800 Smithe Street  
Vancouver, B.C. V6Z 2E1

You are entitled to attend the Court hearing. If you plan to attend the hearing, we ask that you please advise our legal counsel that you plan to attend and give a brief explanation of your concern. Our legal counsel can be contacted as follows:

Lawson Lundell LLP  
Barristers & Solicitors  
1600-925 West Georgia Street  
Vancouver, B.C. V6C 3L2

Attention: William L. Roberts  
phone: (604) 631-9163  
fax: (604) 641-4401  
email: [wroberts@lawsonlundell.com](mailto:wroberts@lawsonlundell.com)

**Copy to**

Boale, Wood & Company Ltd.  
Judicial Trustee of the Elite FX Group of Companies  
410 – 800 West Pender Street  
Vancouver, BC V6C 2V6

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Attention: John McEown  
phone: (604) 605-3335  
fax: (604) 605-3359  
email: [jmceown@boalewood.ca](mailto:jmceown@boalewood.ca)

Should you have any comments or concerns with respect to this application or the proposed Order, or if you have any other questions please contact the undersigned by phone at (604) 605-3335 or by email at [jmceown@boalewood.ca](mailto:jmceown@boalewood.ca).

Yours very truly,

**Boale, Wood & Company Ltd.**

Judicial Trustee and Receiver of  
Elite FX Limited Partnership et al



Per: John McEown, CA•CIRP