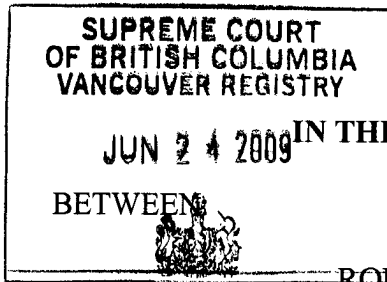


S-094731



No.
Vancouver Registry

ROBERT MENARD

PLAINTIFF

AND:

INSURANCE CORPORATION OF BRITISH COLUMBIA

DEFENDANT

WRIT OF SUMMONS

PLAINTIFF: ROBERT MENARD
4 - 980 Denman Street
Vancouver, B.C.
V6G 2M1

24JUN09 920214 RISS 208.00
21422 5094731

DEFENDANT: INSURANCE CORPORATION OF BRITISH COLUMBIA
800 - 808 Nelson Street
Vancouver, B.C.
V6Z 2L5

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To the defendant(s): INSURANCE CORPORATION OF BRITISH COLUMBIA

TAKE NOTICE that this action has been commenced against you by the plaintiff for the claim set out in this Writ.

IF YOU INTEND TO DEFEND this action, or if you have a set-off or counterclaim that you wish to have taken into account at the trial, YOU MUST

- (a) GIVE NOTICE of your intention by filing a form entitled "**Appearance**" in the above registry of this court at the address shown below within the Time for Appearance provided for below and YOU MUST ALSO DELIVER a

copy of the Appearance to the plaintiff's address for delivery, which is set out in this writ, and

- (b) If a statement of claim is provided with this writ of summons or is later served on or delivered to you, FILE a Statement of Defence in the above registry of this court within the Time for Defence provided for below and DELIVER a copy of the Statement of Defence to the plaintiff's address for delivery.

YOU OR YOUR SOLICITOR may file the Appearance and the Statement of Defence. You may obtain a form of Appearance at the registry.

JUDGMENT MAY BE TAKEN AGAINST YOU IF

- (a) YOU FAIL to file the Appearance within the Time for Appearance provided for below, or
- (b) YOU FAIL to file the Statement of Defence within the Time for Defence provided for below.

TIME FOR APPEARANCE

If this writ is served on a person in British Columbia, the time for appearance by that person is 7 days from the service (not including the day of service).

If this writ is served on a person outside British Columbia, the time for appearance by that person, after service, is 21 days in the case of a person residing anywhere within Canada, 28 days in the case of a person residing in the United States of America, and 42 days in the case of a person residing elsewhere.

[or, where the time for appearance has been set by order of the court, within that time.]

TIME FOR DEFENCE

A Statement of Defence must be filed and delivered to the plaintiff within 14 days after the later of

- (a) the time that the Statement of Claim is served on you (whether with this writ of summons or otherwise) or is delivered to you in accordance with the Rules of Court, and
- (b) the end of the Time for Appearance provided for above.

[or, where the time for defence has been set by order of the court, within that time.]

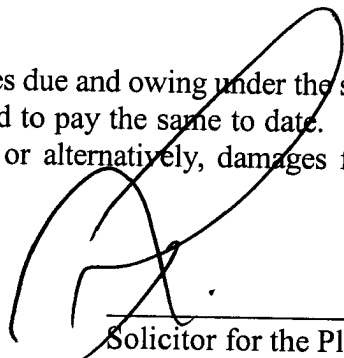
(1)	The address of the registry is: 800 Smithe Street Vancouver, BC V6Z 2E1
(2)	The plaintiff's ADDRESS FOR DELIVERY is as set out in (3) below Fax number for delivery (if any): 604-669-4679
(3)	The name and office address of the plaintiff's solicitor is: RONALD D. NAIRNE Giusti Nairne Barristers and Solicitors Suite 220 – 3701 Hastings Street Burnaby, BC V5C 2H6 Telephone: 604-669-2238

The Plaintiff's claim is against the Defendant as an insured person and person to be benefited pursuant to Part 7 of the Regulations pursuant to the *Insurance (Vehicle) Act*, RSBC 1996, c. 231 and amendments thereto for a declaration that the Plaintiff is entitled to receive medical, rehabilitation and disability benefits pursuant to a contract of insurance made with the Defendant, which said benefits having accrued and are accruing due as a result of injury to the Plaintiff as a result of a motor vehicle accident which occurred on or about July 26, 2007 at or near the intersection of West 4th Avenue and Pine Street, Vancouver, British Columbia.

In the motor vehicle accident, the Plaintiff was a passenger on a motor vehicle insured by the Defendant which motor vehicle was involved in a collision with another motor vehicle insured by the Defendant.

The Plaintiff has made demand for the monies due and owing under the said policy of insurance and the Defendant has either neglected or refused to pay the same to date. The Plaintiff further claims for the loss of payment or benefits to date or alternatively, damages for breach of contract, and costs.

Dated: June 23, 2009



Solicitor for the Plaintiff

