

In the Supreme Court of British Columbia

Between:

CANADIAN IMPERIAL BANK OF COMMERCE

and:

Petitioner

GERALD WAYNE JACK DALEY, DECEASED
Victoria Nevens the EXECUTOR/ADMINISTRATOR/PERSONAL
REPRESENTATIVE of the estate of Gerald Wayne Jack Daley
JOHN DOE and JANE DOE

Respondent(s)

Deuteronomy 27:19 *VOICE* Levites: **A curse on anyone [this court] who deprives a foreigner, orphan, or widow of justice! People: Let it be so!**

Deuteronomy 27:26 **'Cursed is the one who does not uphold the words of this Torah/Common Law by doing them.'** Then all the people are to say, **'So be it.'**

Isaiah 30:5 **All shall be ashamed of a people [politicians/BAR members/religious leaders] that gain them nothing. Neither help nor benefit, but only shame and reproach.**

Isaiah 59:6 **Those people [politicians/BAR members/religious leaders] weave their evil plans together like a spider's web. But the webs they make can't be used as clothes. They can't cover themselves with what they make. Their acts are evil. They [politicians/BAR members/religious leaders] do things to harm others.**

Jeremiah 22:17 **But you! You [politicians/BAR members/religious leaders] are full of selfish greed and all dishonesty! You [politicians/BAR members/religious leaders] murder the innocent, oppress the poor, and reign with ruthlessness.**

APPLICATION RESPONSE

Application response of: Victoria Nevens the EXECUTOR/ADMINISTRATOR/PERSONAL REPRESENTATIVE/DEFENDER of the estate of GERALD WAYNE JACK DALEY, (the "application respondent(s)")

THIS IS A RESPONSE TO the notice of application of CANADIAN IMPERIAL BANK OF COMMERCE filed 12 Feb 2020.

Part 1: ORDERS CONSENTED TO

The application respondent consents to the granting of the orders set out in the paragraphs of Part 1 of the notice of application on the following terms:

1. The petitioner and its solicitors admit in writing 40K from a July 19 2005 Mortgage they allege went into default September 2018 16 months after Gerald Wayne Jack Daley passed in Truth principle of Life Insured Mortgage Loan #6425570 which was paid in full by Canada Life August 2017.
2. The petitioner CIBC agree to provide the 3.7 million dollars due from the Notice of Civil Claim served by myself Victoria Nevens, on an agent of the CIBC Douglas Street branch January 8 2020 for pain, suffering and special damages they knowingly and willingly caused the estate of Gerald Wayne Jack Daley and I no later than noon February 20 2020.
3. CIBC agree to provide \$117,400.00 in property management services and reimbursement of costs pertaining to running the household that became its responsibility November 2018 when it fraudulently put its name as owner of my permanent "In Trust" residence. This non-negotiable fee for services rendered will be paid no later than noon February 20 2020.
4. Fulton & Company solicitors involved in Common Law and indictable crimes against myself and the estate of my Honorable spouse agree to provide the 1.3 million dollars due from the Notice of Civil Claim delivered by process server to their office January 13 2020 for pain, suffering and special damages they knowingly and willingly caused my family no later than noon February 22 2020.
5. CIBC the petitioner, its solicitors and this court admit in writing to violating my Common Law rights by ignoring each person's non-negotiable obligation to Common Law which is the rule of Law, the United Nations Sustainable Development Goals, corporate responsibilities and each BAR member's oath of ethics. All members of the BAR must/WILL be "honest" and not act in a conflict of interest. BAR members cannot be judges/justices/masters/magistrates etc. because it is a conflict of interest if one or more parties in a dispute are represented by (a) BAR member(s). Do YOU understand it is a material fact the BAR is a criminal terrorist organization, its members terrorists and criminals?
6. Those doing business a "FULTON & COMPANY LLP" admit to being guilty of criminal harassment, intimidation, fraud and extortion by swearing their lies to be true in court documents; legally indictable crimes punishable by fines and years of incarceration.
 - a) Agents for CIBC committed fraud by swearing under oath there was a default on a loan in the name of my Honorable spouse sent in a letter dated 28 Sept 2018 to our permanent residence and in a court petition dated 19 Oct 2018.
 - b) "FULTON & COMPANY LLP" agents for CIBC committed fraud by swearing under oath they did not know that I, Victoria Nevens, am the lawful permanent resident of 604 Polyanthus Crescent and personal representative/defender of the estate of my

Honorable spouse Jack Daley in GRAHAM MACK'S filled with falsehood affidavit in a Application to Substitute Party and Amend Pleadings dated 29 Oct 2018. See letter filled with lies from DAN CARROLL dated Sept 28 2018 for proof of criminal harassment, intimidation and extortion.

In Common Law THE ONLY LAW of my race, culture and ethnicity which will be respected and fully accommodated by 'this court' pursuant to the *Canadian Multiculturalism Act*, the *International Convention on the Elimination of ALL Forms of Racial Discrimination*, *United Nations Convention on the Elimination of ALL Forms of Discrimination against Women* and the *International Covenant on Civil and Political Rights* a witness who testifies falsely about one matter is not credible to testify about any matter; FALSUS IN UNO, FALSUS IN OMNIBUS "false in one thing, false in everything".

7. The solicitors for the petitioner admit to being guilty of seeking to extort financial wealth from the estate of the Honorable Gerald Wayne Jack Daley by filing a filled with fraud Notice of Application 12 Feb 2020 of which I am now having to waste my precious time responding to. The Notice of Application filed to deny my right to appeal the fraudulent from the beginning 19 Oct 2018 to 15 Jan 2020 orders to sell my permanent "in Trust" residence is on its face unnecessary, frivolous, vexatious, prejudice, violent, an act of torture, criminal harassment, intimidation, uttering threats, persecution and genocide to purposely destroy my quality of life, disturb my peace and cause my death.
8. Each BAR member, their associates and agents of CIBC involved in committing indictable crimes against the estate of the Honorable Gerald Wayne Jack Daley and myself turn themselves over to authorities and admit in writing to being guilty of racism, hatred, discrimination and of Criminal Code of Canada offenses Section 21 Parties to offence (2) Common Intention **22** Person counselling offence **122** Breach of trust by public officer **126** Disobeying a statute **180** Common nuisance **219** Criminal negligence **264** Criminal harassment **264.1** Uttering threats **265** Assault **269.1** Torture **318** Advocating genocide **322** Theft **328** Theft by or from Woman having special property or interest **341** Fraudulent concealment **361** False pretence **372** (1) False information **374** Drawing document without authority, etc. **380** Fraud **392** Disposal of property to defraud creditors **423** Intimidation **424** Threat against internationally protected Woman **429** Wilfully causing event to occur **430** Mischief **463** Attempts, accessories **464** Counselling offence that is not committed **467.11** Participation in activities of criminal organization **467.12** Commission of offence for criminal organization **467.13** Instructing commission of offence for criminal organization.
9. This court will order the petitioner's solicitors to inform in writing WENYONG GAO and FENG LI there will be no completion date of the *Contract of Purchase and Sale* dated November 28 2019 of my lawful "In Trust" permanent residence as a result of fraud and extortion committed by criminal organization CIBC in cooperation with those doing business as "FULTON & COMPANY LLP". I Victoria Nevens, the legal possessor and lawful permanent resident of the lands and premises located at 604 Polyanthus Crescent will be provided a copy of this notice to Mr. GAO and Ms. LI forthwith. As per Common Law CIBC and those responsible for these atrocities at "FULTON & COMPANY" must by right reimburse these persons the "Purchase and Sale" price plus 20% for the harm, loss and damage they have been caused as written biblehub.com/Numbers 5:6 biblehub.com/Numbers 5:7.

Part 2: ORDERS OPPOSED

The application respondent opposes the granting of the orders set out in paragraphs one (1) and two (2) of Part 1 of the notice of application.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

Part 3 is NOT applicable to this notice of application response.

Part 4: FACTUAL BASIS

1. November 27 2018 I Victoria Nevens was hired by the CIBC to be caretaker/manager of its property when it instructed its solicitor to unlawfully have its name registered as 'owner' of my permanent residence gifted by my spouse in his Last Will and Testament. I submitted an invoice to the petitioner and its solicitors February 12 2020 providing them the terms and conditions of the contract they created when they stole without right the estate's "In Trust" lands and premises. I require payment for these services forthwith by court order due to the petitioner and its solicitors being wards of the court [infants/incompetents/legal fictions] incapable of doing what is lawful, ethical and legal, falsely believing they can steal hundreds of thousands of dollars from me, a continually persecuted disabled Woman in need of protection without ramifications because they are "*above the law*".
2. August 2019 I Victoria Nevens was owed approximately \$64,000.00 by CIBC for property management and invoices I paid that are not my responsibility from November 2018 onward. The wages due exceeded the alleged amount owed on a "Mortgage" that is not active and hasn't been for years as I, beyond a reasonable doubt, can prove. As a result, the hearing August 21 2019 for Order made after Application (Conduct of Sale) is fraudulent, of no force or effect due to the material fact CIBC is the debtor not the creditor therefore has no authority to illegally administer my "In Trust" permanent residence. Wages are to be paid daily, if not at minimum weekly as Common Law will be followed by all persons who conduct business or engage in relationship with my race, culture and ethnicity.
3. Factual basis for this response is set out in Part 1 Statement of Facts #1-29 in the Appeal Statement of Argument prepared by myself, Victoria Nevens the EXECUTOR/ADMINISTRATOR/PERSONAL REPRESENTATIVE, defender and protector of the estate of the Honorable GERALD WAYNE JACK DALEY.
4. January 15 2020 I, Victoria Nevens was struck from the proceeding. John Doe and Jane Doe were added as respondents. When the hearing commenced I "Victoria Nevens" am not called no longer being a respondent as the application shows and trial transcript proves. See Part 4 Argument point #43 of my Appellant's Statement of Argument.
5. January 17 2020 I, Victoria Nevens, a Woman in need of protection, attended the Justice Access Centre for a procedure to stop the torture, intimidation, threats of violent assault, discrimination, hatred, act of genocide, cruel and unusual treatment and indictable crimes of CIBC, its solicitors and this court. I was given instruction to apply for an interim stay of a possession order on short notice. I was not informed of right to file an appeal regarding the January 15 2020 order. When I prepared the Notice of Application for an interim stay of possession, I was seeking to conclude this unlawful, discriminatory, life-threatening assault

without awareness of my right to appeal. As a righteous honorable Woman I have a responsibility to guard WENYONG GAO and FENG LI who have an immediate right to be informed they have not lawfully or legally purchased my "In Trust" permanent residence and must make alternative housing arrangements forthwith.

6. January 27 2020 I became aware of my right to appeal the January 15 order despite for months having reached out consistently to access to justice agencies who allege to provide competent members of society capable to handle their own affairs support as well as a number of BAR members who refused to provide adequate or helpful assistance due to the truth written in Proverbs 29:27 **the wicked** [Govt of BC/BAR members] **do not care about justice for the poor.** Truth of why my race/culture are never helped by those of "*the world*" who are blind and deaf as written biblehub.net/the+wicked+do+not+understand.
7. January 28 2020 I was not permitted to present evidence as DAN CARROLL and Mr. MASUHARA were not interested in hearing or accepting the Truth I carefully prepared. These BAR members were concerned in what they wanted to hear, not in the Truth, respecting my rights, or in learning or following Common Law. Both guilty of breach of trust by public officers, intimidation and theft over five thousand Mr. CARROLL and Mr. MASUHARA are ignorant of what a Last Will and Testament means legally and lawfully which is why they have no right to give their opinion or administer my private property and affairs. My application was not heard on its merits because the Truth is not admissible in private society only BAR members welcome biblehub.net/corrupt courts in the commonwealth.
8. January 28 2020 I asked Mr. MASUHARA if he had read my evidence, he did not respond. The fact is BAR members are not interested in what private, competent, experts in Common Law Men and Women of my hated race and culture have to say as they must, by oath, show partiality and bias to BAR members. I was informed by Mr. MASUHARA BAR members are considered to be "the court". This information now proves this court is a conflict of interest as anyone hearing disputes between parties is not permitted to discriminate when innocent Men and Women have sure right to justice, remedy and redress as a result of torts.
9. January 28 2020 DAN CARROLL and Mr. MASUHARA, neither of whom are capable of speaking an intelligent word, proved they are not members of my race, culture or ethnicity by presenting and accepting false testimony. As written so it is a material fact Mr. CARROLL and Mr. MASUHARA are exposed by Daniel 12:10 **Many will keep themselves pure and clean and refined despite the pressures of these times, but those who are wicked will continue their wicked ways and none of them will ever understand. But those who are wise will.** As written so it is Proverbs 12:17 **An honest witness tells the truth, but a false witness tells lies.** Proverbs 14:5 **A truthful witness does not lie, but a false witness spews nothing but lies.** As written by the only Lawgiver and Judge's personal representatives, which are my race who wrote and teach Scripture, neither of these BAR members are learned in Common Law as well as proving ignorant of domestic and international legalese which they claim to be trained in by being members of the BAR.
10. January 29 2020 by right I filed an appeal of the January 15 order of Mr. KEIGHLEY who is guilty of breach of trust by public officer by violently assaulting me by denying my right to access justice on a different matter January 14 2020. From decades of severe abuse, violent

assaults, attempted murder, torture, liable, false accusations and persecution I live with chronic fatigue and permanent disabilities. As a result of post traumatic stress injuries, I need more time to perform tasks than others. When I filed the appeal I was asked to set a date for hearing. After looking at the rules for appeals, learning the respondent is given two (2) weeks to prepare, the appellant only one (1) week I knew this was unfair. I sought an extension as I have right to equality and fairness. I chose the date for the hearing giving myself and the respondent appropriate time according to the rules of court.

11. January 31 2020 I asked this court by right for an extension to file my Statement of Argument under Supreme Court Civil Rule 22-4(2). I was granted the request with the stipulation the respondent be at liberty to apply to the Court with respect to the order on 2 days notice. The order does not specify the respondent had right to "set aside" the order as the solicitors falsely claim in its Notice of Application. The respondent was served the order February 4 2020 and chose not to apply to the court on 2 days notice after being served the Notice of Appeal and extension to file the Statement of Argument 7 days later.
12. The material fact is the estate of the Honorable Gerald Wayne Jack Daley and myself the personal representative of our private permanent property are not debtors in this matter. The material fact is CIBC and its solicitors have debts owed to the estate and myself which is why they have no authority over our "In Trust" private residence and assets. See Statement of Facts point #19-20 of my Appellant's Statement of Argument.
13. The material fact is CIBC and its solicitors have not presented evidence of a default on the "Mortgage". I will prove the original claim and following applications filed are dishonest, acts of bad faith, extortion, intimidation and bribery. I have right to present the Truth in an appeal or any other procedure available to innocent Men and Women in Canada who are having their property/inheritance stolen and their unalienable Common Law rights denied by lawless criminal cults like CIBC and its solicitors whose master is the idol Mammon see Matthew 6:24 Luke 6:13. This is the Truthful reason the orders sought by legal fiction CIBC and its criminal solicitors will not be granted by those doing business as "this court".
14. The material fact is agents of the CIBC and its solicitors have no intention to respect a Default Judgment court order to redress the psychological, physical, spiritual and financial damage they have caused to the estate of Gerald Wayne Jack Daley and myself the personal representative and beneficiary. This Truth is the Lawful reason the orders sought in the notice of application cannot be granted as debtors have no standing/authority.
15. The material fact is agents of the CIBC and its solicitors have no intention to pay the invoice I submitted February 12 2020 for wages due as a result of being hired by the petitioner to be property manager for my residence it stole from the estate November 2018. See Statement of Facts point #11 of my Appellant's Statement of Argument. This is an indictable crime of theft over five thousand, racism, torture, persecution, discrimination against a foreigner and Woman in need of protection, violations of the United Nations Sustainable Development Goals and more importantly violation of Common Laws Leviticus 19:13; 25:35 Deuteronomy 24:15 Proverbs 3:28 Jeremiah 22:13. This Truth is the Lawful reason the orders sought in its application will not be granted.

16. The material fact is the solicitors for CIBC are fittingly bothered as a result of my rights I have intelligently presented in my Statement of Argument. These persons have no right to meddle with my private "In Trust" property. This is reason the solicitors have filed a Notice of Application filled with falsehood as they cannot have its indictable and Common Law crimes exposed. These persons are trying to deny my right to Justice, Remedy and Redress by using *color of law* legalese fiction which has no basis in Truth or Justice which is the foundation of Common Law. In Truth this is the reason the orders sought by legal fiction CIBC and its solicitors will not be granted by those doing business as "this court".

Part 5: LEGAL BASIS

1. I am responding to point #2-3 of the liars Notice of Application Part 3 "Legal Basis". What is time-honored is Common Law which has existed and stood for eternity, before a Lawless, Loveless, Lifeless satanic secret society of murderers, thieves and destroyers known as "*the BAR*" and its compulsive lying, toxic, poisonous, evidence fabricating, guilty of racketeering, human trafficking, property stealing members was created. Common Law sits on the witness box of every commonwealth courtroom because IT IS THE LAW of inherent jurisdiction over issues pertaining to my race, culture and ethnicity. My race, culture and ethnicity will be accommodated by this court according to Common Law exclusively pursuant to the "legal basis" written in the *Canadian Multiculturalism Act*, the *Crimes Against Humanity and War Crimes Act*, *International Convention on the Elimination of ALL Forms of Racial Discrimination*, *United Nations Convention on the Elimination of ALL Forms of Discrimination against Women* and the *International Covenant on Civil and Political Rights*.
2. I am responding to point #2-3 of the liars Notice of Application Part 3 "Legal Basis". If these legal fiction lies were Truth there would be no right to file "an appeal" nor would there be a "court of appeals". How ludicrous is the claim "*finality to litigation is the prime objective*" seeing continual and ongoing litigation is the foundation of racketeering BAR members to extort as much financial wealth from innocent Men and Women to keep their useless, completely vile criminal organization "profession" afloat. These trickeries will not be permitted to deny my Common Law right to have my appeal heard and orders required signed and sealed by "this court" due to the Truth my race have inherent jurisdiction as written in John 3:31; 8:23 because my people are foreign nationals. My race are not dealing with our Living race when we deal with BAR member only courts. My culture are forced against the will of our Father, Judge and Lawgiver to deal with the blind and deaf, those from below, those void of Truth, Love, Peace and Light/Life. Those from "the world" cannot see the Truth because they do not KNOW the Truth. Only my race can see the LIES because we exclusively know the Truth. This is why "*the world*" hates our race, culture and ethnicity as written so it is a material fact Matthew 10:22, Mark 13:13, Luke 21:17, John 7:7.
3. I am responding to point #4-7 of the liars Notice of Application Part 3 "Legal Basis". This level of idiocy will not be tolerated by my race/culture. As explained my Appeal Statement of Argument I have to state the facts which is why I'm being falsely accused of attempting to retry the matter. Speaking to point #5 is proof of false testimony given by DAN CARROLL-MAXIM OF LAW: **once a liar always a liar**. The hearing was 2 hours NOT "a full day" as erroneously stated in a sworn to be Truth Notice of Application. Speaking to point #6, another lie as my Notice of Application was NOT a Notice of Appeal. The hearing was a

Notice of Application for an interim stay of possession PERIOD. Point #7 directly contradicts points #2-4 which claims I have no right to appeal. As written so it is Psalm 119:113 James 1:8 **The double-minded are unstable** [untrustworthy/incompetent]. If I have right to appeal the waste of time, violent assault on my peace, utterly void of logic, act of torture and intimidation hearing of January 28 2020 I have right to appeal the January 15 2020 order seeing I can prove fraud and extortion on the part of CIBC, its criminal solicitors and those doing business as "*this court*". IGNORANCE OF COMMON LAW IS NO EXCUSE.

4. The hypocritical persons guilty of abuse of Process are evidence fabricators CIBC and its false witness solicitors who are exposed by the Truth written in Isaiah 59:4 **No one calls for justice; no one pleads a case with integrity. They** [BAR members] **rely on empty arguments, they utter lies; they** [this court] **conceive trouble and give birth to evil.** Isaiah 59:14 **Evildoers stop others from doing what is fair. They keep them from doing what is right. No one** [BAR members] **tells the truth in court anymore. No one is honest there.** Common Law will not allow false testimony or false witnesses which is what has been presented to this court by the petitioner and its solicitors from the beginning. These acts are legally known as fraud, bribery and extortion among a myriad of other indictable and capital punishment worthy criminal offenses.
5. I have not presented evidence discovered after January 28 2020 of which I have right in a competent, Lawful and logical process with persons who are not members of a private criminal organization body [the BAR} who seek to show partiality and bias to those in their Lawless perversion private society. Common Law is the rule of Law, the inherent jurisdiction over and above the rules of private BAR member court will be accommodated, heard and respected due to my race, culture and ethnicity. My race's unalienable rights are protected by the *Canadian Multiculturalism Act* and the *Canadian Human Rights Act*. My right to a fair and just Common Law court process is enshrined in the *International Convention on the Elimination of ALL Forms of Racial Discrimination* Article 5(a)(b) and (d)(ix).
6. *He who enjoys the benefit bears the burden.* CIBC created a non-negotiable contract with me, Victoria Nevens, when it fraudulently transferred its name Nov. 2018 on title of my private "In Trust" permanent residence. The costs associated with running and management of the property are the responsibility of CIBC and due immediately according to the invoice provided. As written so it shall be Leviticus 19:13 **Do not steal anything or cheat anyone, and don't fail to pay your workers at the end of each day.** Deuteronomy 24:15 **Pay them their wages at the end of each day, because they live in poverty and need the money to survive. If you don't pay them on time, they will complain about you to the ONLY JUDGE and LAWGIVER, and He will punish you.**

The *Convention On The Elimination Of All Forms Of Discrimination Against Women* also legally confirm my right to compensation by criminal organization CIBC immediately pursuant to Article 11 1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular: (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work.

7. The legal basis that will deny CIBC and its solicitors the orders sought in the notice of application are based on principles of legal maxims which include but are not limited to:

- ***equity follows the Law***
- ***equity will not suffer a wrong to be without a remedy***
- ***he who comes into equity must come with clean hands***
- ***out of fraud no action arises: a right of action cannot arise out of fraud***
- ***once a fraud always a fraud***
- ***what is otherwise good and just, if it be sought by force and fraud, becomes bad and unjust***
- ***it is a fraud to conceal a fraud***

8. Legally whomever has the highest claim wins; that is how a healthy sane Law court operates. I Victoria Nevens as controller of all Gerald Wayne Jack Daley's property of every kind and wherever located, who has no debt owing to CIBC or its solicitors is equitable owner of the "in Trust" permanent residence lands and premises which are the subject of this proceeding. I will decide how, when and on what terms the estate is administered keeping it in the form it was at my spouse's passing for as long as I decide without interference of any and all third parties such as CIBC, its solicitors and this court who I do not consent to its jurisdiction. Legal fictions have no authority over Living Men and Women, our rights or our property.

9. Legally there has never been a contract between myself and CIBC, its solicitors or this court for the sale of my "In Trust" permanent residence as they employ duress, coercion and threats of force which voids all obligations to consent on my part. 15 Jan 2020 criminal DAN CARROLL issued me a letter filled with a myriad of indictable offences, see Part 1 orders consented to point #8 in this response for a list of why this matter is now at its conclusion. These are the legal reasons the orders sought in its notice of application will not be granted.

Part 6: MATERIAL TO BE RELIED ON

Affidavit #1 of the Honorable Victoria Nevens, made 19/Jan/2020.

Affidavit #2 of the Honorable Victoria Nevens, made 17/Feb/2020.

The application respondent(s) estimate(s) that the application will take as long as it takes for the Truth to be told and for Justice to be served.

[] The application respondent has filed in this proceeding a document that contains the application respondent's address for service.

This matter is within the jurisdiction of the King, the Spirit of Truth, Justice and Judgment; the ONLY JUDGE and LAWGIVER pursuant to Isaiah 11:4; 33:22; 51:4, 7 Jeremiah 31:33

Date: 17/Feb/2020

Signature of [] application respondent

Victoria Nevens