



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. P OF 2021

PROBATE AND ADMINISTRATION APPLICATION NO. P <sup>96</sup> OF 2021

IN THE ESTATE OF IAN DOUGLAS THOMSON, DECEASED

**APPLICATION FOR GRANT OF PROBATE**

I, **Graeme James Thomson**, of 32 Arnold Avenue, Bodden Town, and P.O. Box 318, Grand Cayman KY1-1501, Cayman Islands, being the Executor named in the last Will and Testament of the late **Ian Douglas Thomson** late of the same 32 Arnold Avenue, Bodden Town, Grand Cayman, Cayman Islands, and being over the age of eighteen years and not having renounced the probating of the Will.

The said will was made in Calgary, Alberta in Canada on the 3rd day of March, 2015 and the said Will at the time of the death of the deceased, having been in the custody of me, the Executor named in the Will and which a copy of the said Will is attached hereto as **Exhibit GJT- 1**

The Original Will, duly marked is secured in an envelope on the file and the Original Death Certificate is annexed hereto as **Exhibit GJT - 2**

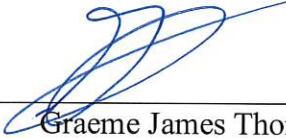
I, the lawful Executrix hereby apply for a grant of Probate of the said Will and I enclose my Affidavit in support of and on that behalf, I undertake that in the event of such grant being made to me:-

1. That I will within one (1) year of such grant to me, I will administer the said

estate according to the tenor of the Will and directions, if any, of the Court.

2. That I will file in the Probate Registry a general accounting for the whole of the assets of the said estate.


Dated this 11<sup>th</sup> day of June, 2021


  
\_\_\_\_\_  
Graeme James Thomson

Sworn to before me at:

George Town, Grand Cayman, Cayman Islands

This 11<sup>th</sup> day of June, 2021

  
\_\_\_\_\_  
Justice of the Peace/Notary Public

  
DEVON GOW  
Justice of the Peace

ID# DG230211

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
HOLDEN AT GEORGE TOWN

CAUSE NO. P OF 2021

IN THE ESTATE OF IAN DOUGLAS THOMSON, DECEASED.

This is Exhibit marked and referred as:-

**EXHIBIT GJT-1**

In my Application for Grant of Probate

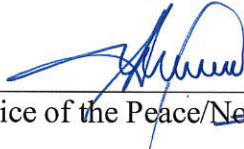


\_\_\_\_\_  
Graeme James Thomson

Sworn to before me at:

George Town, Grand Cayman, Cayman Islands

This 11<sup>th</sup> day of June, 2021



DEVON GOW  
Justice of the Peace

Justice of the Peace/Notary Public

ID# DG230211



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This Is The Last Will And Testament Of

IAN DOUGLAS  
THOMSON

Peter G. Robinson Professional Corporation  
408, 4625 Varsity Drive N.W.  
Calgary, Alberta  
T3A 0Z9  
(403) 288 0009



**THIS IS THE LAST WILL AND TESTAMENT** of me, **IAN DOUGLAS THOMSON**,  
presently residing at Calgary, Alberta.

## **PART ONE - INITIAL MATTERS**

I revoke all former Wills and Codicils.

### **I. APPOINTMENT OF EXECUTORS**

I hereinafter refer to the Executors, Executrixes or Trustees of my estate as "my Trustee", which expression shall include the person or persons entitled from time to time to administer my estate, whether original or substituted. I appoint **GRAEME JAMES THOMSON** of Grand Cayman to be my Trustee. In the event that my Trustee is unable or unwilling to act or continue acting as my Trustee, I appoint **TYLER JAMES THOMSON** of Calgary, Alberta to be my Trustee.

### **II. DISPOSITION OF REMAINS**

It is my wish that my body be cremated.

## **PART TWO - DISPOSITION OF ESTATE**

I give and appoint to my Trustee all my property wherever located, including any property over which I may have a general power of appointment, upon the following trusts:

### **I. PAYMENT OF DEBTS**

To pay all my legally enforceable debts, funeral expenses, and all expenses incurred in connection with the administration of my estate and the trusts created by this will or any codicil to it with power to compromise or settle any liability.

### **II. HANDWRITTEN LIST**

I hereby declare that should a handwritten list of personal property and my directions for its division be found with my Will, it is to be treated as a codicil to my Will. I direct my Trustee to divide the personal property according to the list.

### **III. GIFT OVER**

I then direct my Trustee to pay or transfer the residue of my estate to **TYLER JAMES THOMSON** of Calgary, Alberta.

### **IV. GIFT OVER WITH TRUSTS**

Should **TYLER JAMES THOMSON** predecease me, I then direct my Trustee to pay or transfer the residue of my estate to **MARLEY RYE THOMSON** of Grand Cayman, upon the following trusts:

#### **A) Capital Distribution**

To deliver their share to each beneficiary upon their reaching the age of 21.



**B) Income Distribution**

To hold the share of each beneficiary in trust until it is eligible for distribution and to pay the whole or such part of the net income from that share of my estate that my Trustee deems advisable to or for the maintenance, advancement, education and support of that beneficiary.

**C) Power to Encroach**

While my Trustee holds the residue of my estate in trust, my Trustee shall have the power to pay or transfer from the residue, whether to or on behalf of any beneficiary, any portion of the capital of that beneficiary that my Trustee may from time to time deem advisable for the maintenance, advancement, education and support of that beneficiary.

**D) Capitalization of Income**

Any income accruing to a share of my estate which is not paid to the beneficiary of that share shall be added to the capital of such share and dealt with as a part of that capital.

**PART THREE - ADMINISTRATION OF ESTATE**

To carry out the terms of this will, I give my Trustee the following powers:

**I. REALIZATION OF ESTATE**

Subject to my express direction to the contrary, I direct my Trustee to use his or her discretion in the realization of my estate, with power to my Trustee to sell, call in and convert into money any part of my estate not consisting of money, at such time or times, in such manner and upon such terms, and whether for cash or credit or part cash and part credit as my Trustee may deem advisable, or to postpone such conversion of my estate or any part or parts thereof for such length of time as my Trustee may deem advisable, and I hereby declare that my Trustee shall have a separate and substantive power to retain any of my investments or assets in the form existing at the date of my death without responsibility for loss, to the intent that investments or assets so retained shall be deemed to be authorized investments for all purposes of my will.

**II. BUSINESS ASSETS**

To act for and represent my estate as a shareholder, partner or proprietor in any business or company in which my estate may hold an interest. My Trustee may act as an employee or officer of any such company and receive remuneration for doing so.

*AR*

### III. TRUSTEE'S COMPENSATION

I declare that my Trustee shall be entitled to receive fair and reasonable compensation for services performed including compensation for any disbursements including solicitor client fees notwithstanding that the disbursements are for services the Trustee may perform.

### IV. NO BOND REQUIRED

I direct that no Trustee wherever resident, or domiciled shall be required to give any bond or security for the administration of my will in any part of Canada or any foreign jurisdiction.

### V. INVESTMENTS

To invest assets of my estate in securities and investments in accordance with the principles of prudent investment requirements of the laws and regulations of the Province of Alberta, as amended from time to time.

### VI. DEALING WITH REAL PROPERTY

To retain, sell, exchange or mortgage and to lease or give options without being limited to length of term, or otherwise deal with or dispose of any real property held by my Trustee and to repair, alter, improve, add to or remove any buildings on that property and generally to manage that property including, if my Trustee considers it advisable, the employment of a professional management company.

### VII. CORPORATE TRUSTEE

To employ a body corporate as a custodian of all or any part of my estate and to transfer or assign all or any part of my estate to such custodian upon such terms and conditions as my Trustee may determine and such custodian may be my Trustee.

### VIII. TAX ELECTIONS

I declare that my Trustee shall have the absolute discretion to make or not make any election, determination or designation pursuant to any taxing statute including the Income Tax Act, that my Trustee deems to be in the best interest of my estate and the equitable treatment of beneficiaries thereunder.

The exercise by my Trustee of such discretion shall be binding upon all beneficiaries of my estate notwithstanding that an advantage may be conferred upon any beneficiary at the expense of any other beneficiary.

### IX. TRUSTEE'S LIABILITY

I declare that my Trustee shall only be liable for any loss attributable to dishonesty, or to the

*BR* *AR*  
*[Signature]*

~~willful commission by my Trustee of any act known by him or her to be a breach of trust, and in particular my Trustee shall not be bound to take any proceedings against a co-trustee for any breach or alleged breach of trust committed by such co-trustee.~~

#### **X. PROFESSIONAL TRUSTEE**

Any Trustee of this my Will being a Chartered Accountant or Solicitor may make and be paid all usual professional and other charges for work done by him, or his firm or any partner or associate of his, in relation to the Probate of this my Will or any Codicil thereto; and the same shall be in addition to and without prejudice to any remuneration or compensation to which he may be entitled as an Executor or Trustee hereof.

#### **XI. DISTRIBUTION OF ASSETS**

Any distribution of my estate may be made by my Trustee by transferring directly to my beneficiaries any of my assets.

#### **XII. FIRST OPTION TO BENEFICIARIES**

Should my Trustee decide to sell any property of mine, my Trustee shall give to any beneficiary of mine who expresses an interest in said property, a first option to purchase that property at such price and on such terms as may be determined by my Trustee, whose decision as to price and terms and as to the time within which the option must be exercised shall be absolute and binding upon all persons concerned.

#### **XIII. PAYMENTS TO MINORS**

To expend directly income or capital or both that are to be used for a minor beneficiary or to make any such payment to a parent or guardian of that beneficiary or to anyone to whom my Trustee may deem it advisable to make payment, and a receipt for payment discharges my Trustee.

#### **XIV. LOST BENEFICIARIES**

Notwithstanding any provision of any law to the contrary, if any beneficiary under this Will cannot be found within three (3) years to the date of my death, provided publicity by advertising in one newspaper circulated in the Judicial District in which my estate is located is undertaken, I direct that such beneficiary then be considered to have predeceased me and his or her benefit shall be dealt with accordingly.

#### **XV. SURVIVORS**

Any person or beneficiary named in this Will who does not survive me for thirty (30) full days shall be deemed to have predeceased me. However, notwithstanding the foregoing, my Trustee may pay to any beneficiary or use for his or her benefit, such amount or amounts out of either or both the capital and income of such beneficiary's share as my Trustee may deem necessary, during this thirty (30)

*AR*

day period.

**XVI. INTERPRETATION**

I direct that throughout this my Will, wherever the plural is used, the same shall be construed as meaning the singular or vice versa and the masculine shall be construed as meaning the feminine or body corporate as the sex or context may require.

**XVII. HEADINGS**


The headings in this Will are for convenience only and do not form part of this Will.

I, IAN DOUGLAS THOMSON, have subscribed my name to this Will on the 3<sup>rd</sup> day of March, 2015.



IAN DOUGLAS THOMSON

SIGNED by IAN DOUGLAS THOMSON in our presence and attested to by us in the presence of each other.



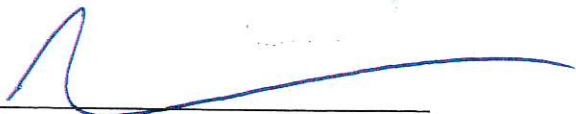
WITNESS SIGNATURE

PATRICIA A. STINSON

PRINT NAME

408, 4625 Varsity Drive N.W., Calgary, Alberta T3A 0Z9

Legal Assistant



WITNESS SIGNATURE

PETER G. ROBINSON

408, 4625 Varsity Drive N.W., Calgary, Alberta T3A 0Z9

Lawyer

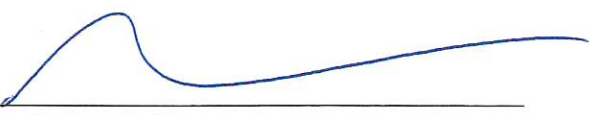
TESTATOR NAME	IAN DOUGLAS THOMSON
DOCUMENT	<b>Affidavit of witness to a will</b>
DEPONENT'S NAME	PATRICIA A. STINSON
EXHIBIT ATTACHED	<b>A: Original will dated March 3, 2015</b>

THE DEPONENT SWEARS UNDER OATH OR AFFIRMS THAT THE INFORMATION IN THIS AFFIDAVIT IS WITHIN THE DEPONENT'S KNOWLEDGE AND IS TRUE. WHERE THE INFORMATION IS BASED ON ADVICE OR INFORMATION AND BELIEF, THIS IS STATED.

1. I am one of the subscribing witnesses to the last will of the testator, IAN DOUGLAS THOMSON.
2. The will is dated March 3, 2015, and is marked as Exhibit A to this affidavit.
3. When the testator signed the will, I believe the testator understood that the document being signed was the testator's will.
4. When the testator signed the will, I believe the testator was competent to sign the will.
5. The testator, the other witness to the will and I were all present together when the testator and the witnesses signed the will.
6. Before the testator signed the will, the testator made the following changes to it:
  - 6.1 Nil.

SWORN OR AFFIRMED BEFORE A COMMISSIONER FOR OATHS AT CALGARY, ALBERTA ON MARCH 3, 2015.

  
 \_\_\_\_\_  
 Deponent **PATRICIA A. STINSON**

  
 \_\_\_\_\_  
 Commissioner's Name

Appointment Expiry Date: \_\_\_\_\_

**PETER G. ROBINSON**  
 Barrister, Solicitor & Notary Public  
 Peter G. Robinson Prof. Corp.  
 #408, 4625 Varsity Dr. N.W.  
 Calgary, Alberta, Canada T3A 0Z9  
 Telephone: (403) 288-0009

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
HOLDEN AT GEORGE TOWN


CAUSE NO. P OF 2021

IN THE ESTATE OF IAN DOUGLAS THOMSON, DECEASED.

This is Exhibit marked and referred as:-

**EXHIBIT GJT-2**


In my Application for Grant of Probate


  
\_\_\_\_\_  
Graeme James Thomson

Sworn to before me at:

George Town, Grand Cayman, Cayman Islands

This 11<sup>th</sup> day of June, 2021

  
\_\_\_\_\_  
Justice of the Peace/Notary Public

  
DEVON GOW  
Justice of the Peace  
ID# DG230211



## CAYMAN ISLANDS DEATH REGISTRATION FORM

DEATH IN THE DISTRICT OF: **George Town**

No.: **2021GT00870068**

Place of Death:  
**Health City, East End**

Usual Residence of Deceased:  
**32 Arnold Ave., Bodden Town, Grand Cayman, Cayman Islands**

*Particulars of Deceased*

Date of Death: **15 May 2021**  
 Full Name: **Ian Douglas Thomson**  
 Sex: **Male** Condition: **Divorced**  
 Age: **58 Years 5 Months 10 Days**  
 Occupation or Calling: **Construction Sup.**  
 Birthplace: **Canada**

*Cause of Death*

I (a) **Acute decompensation of chronic liver disease**  
 (b) due to **Hepatic encephalopathy**  
 (c) due to **Hepato renal syndrome**  
 II (Contributory) **---**

Certified by: **Dr. Patil Mahantesh**  
 Qualification: **Consultant Intensive Care**

*Informant*

Name: **Graeme Thomson**

Residence: **P.O. Box 318, Grand Cayman KY1-1501,  
Cayman Islands**

Relationship to Deceased: **Brother**

*Registrar's Certificate*

Signed in my presence by the said informant **Graeme Thomson**  
 (or)

Entered by me from the particulars of a certificate received from (Witness)

**Dr. Patil Mahantesh**

Date **19 May 2021**

Signed **Cindy B. McField-Diaz Garcia**  
 REGISTRAR

