

SUPREME COURT
OF BRITISH COLUMBIA
VANCOUVER REGISTRY

MAR - 5 2007

BETWEEN:



No. **S-071515**
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

ERIK SCHULT

PLAINTIFF

AND:

UNITED TECHNOLOGIES CORPORATION,
CARRIER CORPORATION and UTC CANADA CORPORATION

DEFENDANTS

Brought under the *Class Proceedings Act*

WRIT OF SUMMONS

(Name and
address of
each
Plaintiff)

ERIK SCHULT
3904 St. Mary's Avenue
North Vancouver, B.C.
V7N 1Y3

(Name and
address of
each
Defendant)

UNITED TECHNOLOGIES CORPORATION
c/o: The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

CARRIER CORPORATION
c/o: The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

UTC CANADA CORPORATION
900 - 200 Burrard Street, PO Box 48600
Vancouver, BC V7X 1T2

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): **UNITED TECHNOLOGIES CORPORATION, CARRIER CORPORATION, and UTC CANADA CORPORATION**

TAKE NOTICE that this action has been commenced against you by the Plaintiff(s) for the claim(s) 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

Form 6 - Endorsement on Originating Process for Service Outside British Columbia
The Plaintiff claims the right to serve this Writ and Statement of Claim on the Defendants, United Technologies Corporation and Carrier Corporation, outside British Columbia on the ground that the claim concerns a tort committed in British Columbia, and/or concerns contractual obligations, and the contractual obligations, to a substantial extent, were to be performed in British Columbia and/or the contract is for the purchase of property, services or both, for use other than in the course of the purchaser's trade or profession and resulted from a solicitation of business in British Columbia by or on behalf of the seller

- (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, if 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.

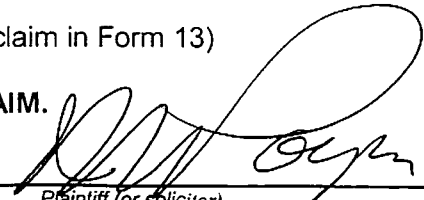
[or, if the time for defence has been set by order of the court, within that time.]

(1) The address of the registry is:	800 Smithe Street, Vancouver, B.C. V6Z 2E1 CANADA
(2) The address for delivery is:	Lonsdale Quay Plaza, #408 145 Chadwick Court, North Vancouver, BC V7M 3K1
Fax number for delivery (if any):	604-988-3632
(3) The name and office address of the plaintiff's solicitor is:	JAMES M. POYNER, ESQ. POYNER BAXTER LLP Lonsdale Quay Plaza, #408 145 Chadwick Court, North Vancouver, BC V7M 3K1

The plaintiff's claim is: (or set out a statement of claim in Form 13)

PLEASE SEE ATTACHED STATEMENT OF CLAIM.

March 2, 2007
Dated



Plaintiff (or solicitor)