

CLASS PROCEEDING

This is the 1st affidavit
of Cori Piers in this case
and was made on August 26, 2013

No. T-696-10

FEDERAL COURT

BETWEEN:

MARK CUZZETTO

PLAINTIFF

AND:

BUSINESS IN MOTION INTERNATIONAL CORPORATION, ALAN
KIPPAX and ASHIF MOHAMED

DEFENDANTS

AFFIDAVIT

I, Cori Piers, sales representative, of Coquitlam, British Columbia, AFFIRM
THAT:

1. I was a distributor for Business in Motion International Corporation ("**BIM**"). As such, I have personal knowledge of the facts and matters deposed to in this affidavit except where I state them to be made on information and belief, and as to those facts and matters, I believe them to be true.

BACKGROUND

2. On June 23, 2008, I attended a meeting about a "business opportunity" (a "**BIM Seminar**") after being invited by my friend Sheila Jayson.

3. Before the BIM Seminar, I knew nothing about BIM. My friend insisted that I had to attend, and that I could make a very large amount of money very quickly. She would not give me any more information than that.

4. The BIM Seminar was held at the Best Western Plus Kings Inn at 5411 Kingsway, Burnaby, BC. It started early in the evening and lasted approximately three hours.
5. There were a number of presenters over the course of the BIM Seminar. The first presenter spent around 20 minutes discussing “**Ultra Life Club Memberships**” which purported to offer steep discounts on travel packages. This presenter represented that an Ultra Life Club Membership was worth over \$75,000 and had retailed for as much as \$15,000 and more recently for \$9,000.
6. After the introductory presentation about Ultra Life Club Memberships, Allan Kippax (“**Kippax**”) took control of the BIM Seminar and revealed the “business opportunity” which had induced me to attend the BIM Seminar, namely, the opportunity to become a “**BIM Distributor**” and sell Ultra Life Club Memberships or other products through BIM (“**Perpetual Motion Products**”).
7. Kippax’s presentation regarding becoming a BIM Distributor was carried out with the assistance of slides which were very similar, if not the same as the slides which appear on the printout attached as Exhibit “B” to the Affidavit of Ken Chung, affirmed August 21, 2013, which I have reviewed.
8. The focus of Kippax’s presentation was the ability to generate monumental gains by becoming a BIM Distributor and using the “time leverage system”. This system consisted of creating sequential sales ladders that would reward participants with the recruitment of other participants. To illustrate the system, Kippax spent considerable time reviewing a number of slides showing the sales ladders and reviewing how its participants were populated and compensated. The description of the system given by Kippax is consistent with the description that appears at paragraph 13 of the Statement of Claim, which I have also reviewed prior to making this affidavit.
9. Kippax’s presentation contained a number of wealth symbols, such as private jets, mansions, swimming pools, and tropical resorts, which, in my mind, accentuated the potential for riches that were associated with becoming a BIM Distributor.

10. Kippax said that if a BIM Distributor sold two Perpetual Motion Products for \$3,200, that BIM Distributor would make commissions of \$13,200 plus keep the Perpetual Motion Product valued at \$9,000, for a total value of \$22,200. Kippax said that BIM Distributors could make a lot more money if they sold more than two Perpetual Motion Products.

11. Kippax also said that even if a BIM Distributor did not make any sales, that BIM Distributor would still get reimbursed the \$3,200, and keep the Perpetual Motion Product they purchased.

12. Although this seemed too good to be true, Kippax emphasized in his presentation that the system worked and had been tested over many years. He insisted that it was a “win-win-win situation”.

13. As an example of what was within our reach if we became BIM Distributors, Kippax introduced several other people who attended the BIM Seminar and had reached the “**Director of Sales**” position. He said that people who had reached Director of Sales had been paid for their work as a part of BIM. Kippax said that none of the people he introduced as Director of Sales had sales experience before becoming BIM Distributors. Kippax asked each of the Directors of Sales how many “keys” they had collected for making sales and how long it took them to become Director of Sales. For each Director of Sales, Kippax announced a dollar value that person had earned for the number of keys they had collected. The amounts were all in the tens of thousands of dollars.

14. Kippax said that many people used the money they made as a BIM Distributor to become debt-free. I was in debt at the time and thought that becoming a BIM Distributor would let me pay off that debt. After viewing the BIM Seminar, I was left with the impression that it would be easy to sell at least two Perpetual Motion Products and make some additional money.

15. Given my poor financial situation at the time I attended the BIM Seminar, I was not looking for a vacation, nor did I want to buy the Ultra Life Club Membership or any

other Perpetual Motion Products. However I was informed that in order to join a BIM Corporate Ladder, I had to purchase at least one Perpetual Motion Product. All Perpetual Motion Products cost \$3,200.

16. All information provided at the BIM Seminar regarding making money involved the recruitment of new participants to a BIM Corporate Ladder through the sales of Perpetual Motion Products. There was no explanation given about commissions payable on the sale of Perpetual Motion Products that did not involve the buyer entering a BIM Corporate Ladder. Although the system is built on the assumption that commissions are paid on the sales of Perpetual Motion Products, the sales of such products to persons who do not become BIM Distributors and do not enter a BIM Corporate Sales Ladder did not generate any commissions.

17. After the BIM Seminar, I purchased an Ultra Life Club Membership in order to sign up as a BIM Distributor. Signing up as a BIM Distributor cost \$80, and allowed me to buy the Ultra Life Club Membership at the "wholesale price" of \$3,200. After I signed up as a BIM Distributor, Kippax shook my hand and welcomed me to BIM.

EXPERIENCE AS BIM DISTRIBUTOR

18. After sitting through the entire BIM Seminar, I thought it would be easy to sell at least two BIM Products and get paid as Director of Sales. The reality proved to be very different.

19. First, we were advised to be secretive and not tell prospective recruits anything about how the system works. I tried to bring friends to BIM Seminars. Most people I invited would not attend a BIM Seminar.

20. Further, the few people who did attend a BIM Seminar with me did not buy Perpetual Motion Products or become BIM Distributors. As a result, I did not make any sales of Perpetual Motion Products.

21. Although it was technically possible for me to still recover my \$3,200 investment if all lower positions on my BIM Corporate Ladder were filled, I later learned that this

would depend on others making more than two sales to compensate for the sales I did not make. As I struggled to make my own sales, based on my review of the BIM Corporate Ladder boards, others on my ladder also encountered similar difficulties. Clearly, this was not as easy a thing as I was led to believe following my initial attendance at the BIM Seminar.

22. There was originally a set period of time in which all lower participants in a BIM Corporate Ladder had to be filled. If any positions remained empty before the time elapsed, the ladder was “crushed” and the participants would be left with no commissions, regardless of whether they made any sales or not. This practice changed at one point, but not before my ladder was “crushed”. Because my ladder was “crushed”, I could not receive my \$3,200 back as promised.

ULTRA LIFE CLUB MEMBERSHIP

23. I originally purchased my Ultra Life Club Membership because it was the only way to join a BIM Corporate Ladder. However, when it became clear that I would not get my money back through the BIM Corporate Ladder as promised, I decided to sell the wholesale Ultra Life Club Membership I had purchased. Refunds were not available for Ultra Life Club Memberships.

24. After my BIM Corporate Ladder collapsed, I telephoned BIM to find out how I could sell the Ultra Life Club Membership. BIM staff members told me that the Ultra Life Club Membership was registered in my name and could not be resold. The BIM staff members insisted that I must have called to register the Ultra Life Club Membership in my name, but I did not do this.

25. Eventually, I was able to convince the BIM staff members to remove my name from the Ultra Life Club Membership so it could be resold. At that point, I started looking for someone to buy my Ultra Life Club Membership.

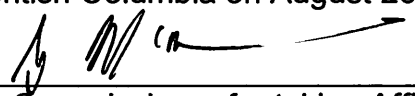
26. One year later I had to pay another \$80 to renew my Ultra Life Club Membership.

27. Since 2010 I have made numerous attempts to sell the Ultra Life Club Membership, including listing it on Craigslist.org and other internet sales sites. Since Kippax and the other presenters at the BIM Seminar said that the Ultra Life Club Membership was worth \$75,000 and had sold for \$15,000, I believed that I should at least be able to sell it for at least the \$3,200 I paid for it. However, no one has expressed any interest whatsoever in purchasing my Ultra Life Club Membership.

28. In total I lost \$3,360, including the Ultra Life Club Membership, the fee to become a BIM Distributor, and the fee to renew my Ultra Life Club Membership.

PURPOSE

29. I make this affidavit in support of default judgment against BIM and.

AFFIRMED BEFORE ME at Vancouver,)
British Columbia on August 26, 2013.)
)
_____)
A Commissioner for taking Affidavits for)
British Columbia)


_____)
Cori Piers

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CLASS PROCEEDING

FEDERAL COURT

BETWEEN:

MARK CUZZETTO

PLAINTIFF

AND:

**BUSINESS IN MOTION INTERNATIONAL CORPORATION, ALAN
KIPPAX AND ASHIF MOHAMED**

DEFENDANTS

**AFFIDAVIT #1 OF CORI PIERS
(Default Judgment)**

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