

COURT FILE NUMBER 2101-00810
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY

APPLICANT 2314174 ALBERTA LTD.
RESPONDENT 1652563 ALBERTA LTD

DOCUMENT **ORDER AMENDING RECEIVERSHIP ORDER**

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File No. 55397-1



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Attention: Danielle Marechal / Kara N. Davis

DATE ON WHICH ORDER WAS PRONOUNCED: Wednesday, August 11, 2021

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice K.D. Yamauchi

UPON THE APPLICATION of counsel for 2314174 Alberta Ltd. ("**231 Ltd**"), the primary secured creditor of 1652563 Alberta Ltd. (the "**Debtor**"); **AND UPON** having read Receivership Order pronounced by the Honourable Justice D.B. Nixon on February 11, 2021 (the "**Receivership Order**") and filed in the within proceedings, the First Report of BDO Canada Limited ("**BDO**"), in its capacity as court-appointed the receiver and manager (in such capacity, the "**Receiver**") of all of the current and future assets, undertakings and properties of the Debtor, dated April 6, 2021; the Second Report of the Receiver dated August 3, 2021; and the Affidavit of Richard Kay, sworn August 10, 2021; **AND UPON** hearing from counsel for the Applicant, counsel for the Receiver and any other interested parties in attendance at the hearing of this Application, which occurred via WebEx video conference having regard for the Court's COVID-19 protocols;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The Receivership Order is amended by:
 - (a) deleting the word "and" from paragraph 3(s);

(b) inserting the word “and” at the end of paragraph 3(t); and

(c) inserting the following paragraph after paragraph 3(t):

(u) to assign the Debtor into bankruptcy without further order of this Honourable Court or obtain a bankruptcy order in respect of the Debtor, if the Receiver determines that is appropriate and in the best interests of the estate;

2. In all other respect, the terms of the Receivership Order remain unaltered and in full force and effect.

3. BDO is hereby authorized to act as trustee in bankruptcy of the Debtor.

Service

4. Service of this Order shall be deemed good and sufficient by:

(a) serving the same on:

(i) the persons listed on the service list created in these proceedings or otherwise served with notice of these proceedings;

(ii) any other person served with notice of the application for this Order;

(iii) any other parties attending or represented at the application for this Order; and

(b) posting a copy of this Order on the Receiver’s website

and service on any other person is hereby dispensed with.



Justice of the Court of Queen’s Bench of Alberta