

SAL TINAJERO, BA, JD
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Elaine Fulton – Legal Assistant
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February 24, 2020

Our File: 214116

Service List

Via Email

Dear Sir/Madam:

**Re: Bank of Montreal v. 1985301 Alberta Ltd. and Stu Reid
In the Matter of the Receivership of 1985301 Alberta Ltd.
QB Action: 2003-00986**

Please find enclosed for service upon you, a copy of the Order Discharging Receiver granted by Justice J.S. Little on February 20, 2020, and filed February 24, 2020.

Do not hesitate to contact the writer with any questions or concerns.

Yours truly,

BOSECKE LAW LLP

Per:


SAL TINAJERO

ST/ef

Encl.

SERVICE LIST

**Bank of Montreal v. 1985301 Alberta Ltd.
and Stuart Reid**

QB Action No. 2003 00986

Name	Address
Canada Revenue Agency	Canada Revenue Agency 10, 9700 Jasper Avenue Edmonton, AB T5J 4C8
Bank of Montreal	C/O Dentons Canada LLP 2500 Stantec Tower 10220 – 103 Avenue NW Edmonton, AB T5J 0K4 Attention: Dean Hitesman Email: dean.hitesman@dentons.com
Eko Wall Systems Ltd. Builders Lien No. 192 248 215	Eko Wall Systems Ltd. c/o Stillman LLP 100, 17420 Stony Plain Road Edmonton, AB T5S 1K6 Attention: Erin Vanderveen Email: evanderveen@stillmanllp.com
Western Roof Renew Ltd. Builders Lien No. 192 258 194	Western Roof Renew Ltd. c/o Insight Law LLP 100, 17420 Stony Plain Road Edmonton, AB T5J 1V9 Attention: Brian K. Horak Email: brian@insightlaw.ca
1722353 Alberta Ltd. Builders Lien No. 192 259 353	1722353 Alberta Ltd. c/o Oviatt Law 401, 10408 124 Street Edmonton, AB T5N 1R5 Attention: Jonathan Williams Slader Oviatt Email: slader@oviattlaw.com
Fast Fence Rentals Ltd. Builders Lien No. 192 263 477	Fast Fence Rentals Ltd. c/o Witten LLP 2500, 10303 Jasper Avenue Edmonton, AB T5J 3N6 Attention: Riley R Snider Email: rsnider@wittenlaw.com File 107046-19RRS
BDO Canada Limited Receiver	BDO Canada Limited

	<p>9897 34 Avenue NW Edmonton, AB T6E 5X9</p> <p>Attention: David Lewis Email: dlewis@bdo.ca</p>
Brownlee LLP – Legal Counsel for BDO Canada Limited	<p>Brownlee LLP 2200 Commerce Place 10155 -102 Street Edmonton, AB T5J 4G8</p> <p>Attention: Michael Coombs Email: mcoombs@brownleelaw.com</p> <p>Attention: Dan Peskett Email: dpeskett@brownleelaw.com</p>
Alberta Hardwood Flooring Ltd.	<p>#102, 5300 50 Street Stony Plain, AB T7Z 1T8</p>
Trail Appliances Ltd.	<p>Third Floor, 14505 Bannister Road SW Calgary, AB T2X 3J3</p>
Igloo Building Supplies Group Ltd.	<p>Biamonte LLP 1600, 10025 – 102A Avenue Edmonton, AB T5J 2Z2</p> <p>Attention: Graham Semeniuk Email: gsemeniuk@biamonte.com</p>

COURT FILE NUMBER 2003-00986
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON
IN THE MATTER OF THE RECEIVERSHIP OF 1985301
ALBERTA LTD.
PLAINTIFF BANK OF MONTREAL
DEFENDANTS 1985301 ALBERTA LTD. and STUART REID
DOCUMENT ORDER DISCHARGING RECEIVER



ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT BOSECKE LAW LLP
Attn: Sal Tinajero
102, 9333 - 47 ST NW
Edmonton, AB T6B 2R7
Tel: 780-469-0494
Fax: 780-469-4181
File no.: 214116

DATE OF THIS ORDER: FEBRUARY 20, 2020

LOCATION WHERE ORDER WAS PRONOUNCED: EDMONTON

NAME OF JUDGE WHO MADE THIS ORDER: J.S. LITTLE

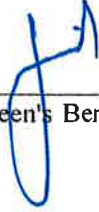
UPON THE APPLICATION of 1985301 Alberta Ltd. for an Order discharging BDO Canada Limited as the Court-appointed receiver (the "Receiver") of the undertaking, property and assets of 1985301 Alberta Ltd.; AND UPON having read the Affidavit of Stuart Reid, the Affidavit of Value of Pawel Martyniak, and the Affidavit of Chris Holden; AND UPON hearing read the First Report of the Receiver dated February 13, 2020; AND UPON hearing counsel for the 1985301 Alberta Ltd. and counsel for the Receiver; AND UPON being satisfied that it is appropriate to do so, IT IS ORDERED THAT:

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given;
2. On the evidence before the Court, the Receiver has satisfied its obligations under and pursuant to the terms of the Orders granted in the within proceedings up to and including the date hereof, and the Receiver shall not be liable for any act or omission on its part including, without limitation, any act or omission pertaining to the discharge of its duties in the within

proceedings, save and except for any liability arising out of any in fraud, gross negligence or willful misconduct on the part of the Receiver, or with leave of the Court. Subject to the foregoing any claims against the Receiver in connection with the performance of its duties are hereby stayed, extinguished and forever barred.

3. No action or other proceedings shall be commenced against the Receiver in any way arising from or related to its capacity or conduct as Receiver, except with prior leave of this Court on Notice to the Receiver, and upon such terms as this Court may direct.
4. Subject to the terms of this Order, 1985301 Alberta Ltd. shall unconditionally make the following payments to the Receiver, or the Receiver's legal counsel:
 - (a) \$40,918.00, comprising the professional fees charged by the Receiver and the Receiver's legal counsel, as set out in the Receiver's first report dated February 13, 2020;
 - (b) \$13,357.00, comprising the invoices received by the Receiver for locksmith, installing a thermostat on a heater and security, as set out in the Receiver's first report dated February 13, 2020; and
 - (c) \$15,000.00, comprising sufficient funds to pay such final accounts of the Receiver (including disbursements and expenses for items such as on site security) and the Receiver's legal counsel as may be rendered to the conclusion of this matter.
5. Upon 1985301 Alberta Ltd. paying the amounts referenced herein, the Receiver shall file a Discharge Certificate in the form attached as Schedule "A" to this Order. Upon the filing of the Discharge Certificate the Receiver shall be discharged as the Receiver of 1985301 Alberta Ltd., provided however, that notwithstanding its discharge herein (a) the Receiver shall remain the Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provision of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver.
6. The Receiver and the Receiver's legal counsel shall provide 1985301 Alberta Ltd. with invoices containing reasonable and sufficient particulars of all fees and expenses charged by the Receiver and the Receiver's legal counsel with respect to the Receivership of 1985301 Alberta Ltd.
7. The payment of funds by 1985301 Alberta Ltd. is made without prejudice to the right of 1985301 Alberta Ltd. to challenge the fees and disbursements of the Receiver and its legal counsel. 1985301 Alberta Ltd. is granted leave to apply to this Court for review the Receiver's fees and expenses and the fees and expenses of the Receiver's legal counsel.
8. The Registrar of the Alberta Land Titles Office is hereby directed to immediately and forthwith discharge the Court Order registered on February 11, 2020 under registration number 202 033 224 against the lands legally described as:
 - Plan 4575S
 - Block 16
 - Lots 1 to 3 Inclusive
 - Excepting thereout all mines and minerals

9. The Registrar shall comply with this Order forthwith notwithstanding section 191(1) of the Land Titles Act.
10. This Order must be served only upon those interested parties attending or represented at the within application and service may be effected by Facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
11. Service of this Order on any party not attending this application is hereby dispensed with.



Justice of the Court of Queen's Bench of Alberta

APPROVED AS TO FORM AND CONTENTS:

BROWNLEE LLP

Per: 

Michael T. Coombs,
Counsel for BDO Canada Limited

SCHEDULE "A"

COURT FILE NUMBER 2003 00986

COURT **COURT OF QUEEN'S BENCH OF
ALBERTA**

JUDICIAL CENTRE **EDMONTON**

PLAINTIFF **BANK OF MONTREAL**

DEFENDANTS **1985301 ALBERTA LTD. and STUART REID**

DOCUMENT **DISCHARGE CERTIFICATE**

DATED

RECEIVER
BDO Canada Limited
9897 34 Avenue NW
Edmonton, AB T6E 5X9
David Lewis
Phone : 780.424.3434
Fax : 780.424.3222
dlewis@bdo.ca

**ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT**

COUNSEL
Brownlee LLP
2200 Commerce Place
10155 102 Street NW
Edmonton, AB T5J 4G8
Michael T. Coombs
Phone: 780-497-4833
Fax: 780-424-3254
File:
mcoombs@brownleelaw.com

Pursuant to an Order of the Alberta Court of Queen's Bench (the "Court") dated January 24, 2020, BDO Canada Limited was appointed Receiver of the 1985301 Alberta Ltd. ("198"). Pursuant to an Order of the Court dated February 20, 2020 (the "Discharge Order"), subject to the filing of a Discharge Certificate substantially in the form attached as **Exhibit 7** to the First Report to the Court of the Receiver (the "Receiver's First Report"), the Receiver is discharged and relieved from any further obligations, liabilities, responsibilities or duties in its capacity as Receiver of 198.

THE RECEIVER HEREBY CERTIFIES THAT:

1. 198 has paid sufficient funds to the Receiver to pay for related expenses of the Receivership such as the locksmith and security onsite;
2. 198 has paid sufficient funds to the Receiver to pay such accounts of the Receiver as are approved by this Order which remain unpaid;
3. 198 has paid sufficient funds to the Receiver to pay such final accounts of the Receiver and the Receiver's counsel as may be rendered to conclusion of this matter in an amount not to exceed a total of \$15,000.00, without the need for further review and approval of such accounts;
4. It will deliver such books and records of 198 that are in possession of the Receiver to Mr. Stuart Reid; and,
5. It will complete such steps as may be required by the Receiver pursuant to the Bankruptcy and Insolvency Act, R.S.C. 1985, c.B-3.

DATED at City of Edmonton, in the Province of Alberta, this ____ day of _____, 2020.

BDO Canada Limited,
In its capacity as Receiver of
1985301 Alberta Ltd.
and not in its Personal Capacity

Per: _____
David Lewis, CPA, CIRP, Licensed Insolvency Trustee
Vice-President