

THE QUEEN'S BENCH
WINNIPEG CENTRE

IN THE MATTER OF: The appointment of a Receiver pursuant to Section 243 of
the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3

THE HONOURABLE MR.) MONDAY, THE 25th
) DAY OF JANUARY, 2021
JUSTICE DEWAR)

B E T W E E N:

BANK OF MONTREAL

Plaintiff,

- and -

8000140 CANADA LTD., carrying on business as Servpro Winnipeg

Defendant,

ORDER

McDougall Gauley LLP
500-616 Main Street
Saskatoon, SK S7H 0J6
Telephone: 306-665-5432
Email: cfrith@mcDougallgauley.com
Attention: Craig Frith
Solicitors for BDO Canada Limited

Taylor McCaffrey Lawyers
2200-201 Portage Avenue
Winnipeg, MB R3B 3L3
204-988-0375
djackson@tmlawyers.com
Attention: David R.M. Jackson
Agents for McDougall Gauley LLP

THE QUEEN'S BENCH
WINNIPEG CENTRE

IN THE MATTER OF: The appointment of a Receiver pursuant to Section 243 of
 the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3

THE HONOURABLE MR.)	MONDAY, THE 25 th
)	
JUSTICE DEWAR)	DAY OF JANUARY, 2021

B E T W E E N:

BANK OF MONTREAL

Plaintiff,

- and -

8000140 CANADA LTD., carrying on business as Servpro Winnipeg

Defendant,

ORDER

THIS MOTION, made by made by BDO Canada Limited, in its capacity as the Court-appointed receiver (the “**Receiver**”) of the undertaking, property and assets of 8000140 Canada Ltd. (the “**Debtor**”), for an Order discharging the Receiver (and other related items of relief more particularly described in the Receiver’s Notice of Motion dated January 20, 2021) (the “**Receiver’s Application**”), was heard this day at Winnipeg, Manitoba.

ON READING the Receiver’s application materials, and on hearing submissions of counsel for the Receiver, Bank of Montreal, Todd Balcain’s former counsel, Kevin D. Toyne, and Todd Balcain himself;

1. THIS COURT ORDERS that the Receiver's Application is adjourned until April 6, 2021 at 9:00 a.m.

2. THIS COURT ORDERS that Mr. Balcain is to file any affidavit material in opposition to the motion as well as a motions brief outlining why he is opposed to the motion on or before Monday, March 19, 2021.

January __, 2021
