

COURT FILE NUMBER 1901-06628

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF ALBERTA TREASURY BRANCHES

DEFENDANTS EAGLES QUAY PROPERTIES INC.,  
FRANK LAYTON, and CAROL LAYTON

APPLICANT BDO CANADA LIMITED, in its capacity as  
receiver and manager of EAGLES QUAY  
PROPERTIES INC.

DOCUMENT **ORDER APPROVING RECEIVER'S  
ACTIVITIES AND LEGAL FEES**

ADDRESS FOR SERVICE AND CONTACT  
INFORMATION OF PARTY FILING THIS  
DOCUMENT MLT AIKINS LLP  
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Attention: Ryan Zahara/Kaitlin Ward  
File: 0033124.00012




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**DATE ON WHICH ORDER WAS PRONOUNCED: APRIL 28, 2022**

**LOCATION WHERE ORDER WAS PRONOUNCED: CALGARY, ALBERTA**

**NAME OF JUSTICE WHO MADE THIS ORDER: JUSTICE D.B. NIXON**

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**UPON THE APPLICATION** by BDO Canada Limited, in its capacity as the court-appointed receiver and manager (the “**Receiver**”) of all current and future assets, undertakings and property of Eagles Quay Properties Inc. for an order approving the Receiver’s activities to date, as set out in the Fifth Report of the Receiver dated April 18, 2022 (the “**Fifth Report**”), and the Confidential Supplement to the Fifth Report, dated April 18, 2022 (the “**Confidential Supplement**”), the Second Confidential Supplement to the Fifth Report dated April 27, 2022 (the “**Second Confidential Supplement**”), the Second Confidential Supplement to the Fifth Report dated April 27, 2022 (the “**Second Confidential Supplement**”);

**AND UPON HAVING READ** the Receivership Order dated March 5, 2019 (the “**Receivership Order**”), the Fifth Report, the Confidential Supplement, the Second Confidential Supplement, the Confidential Affidavit of Jim Jardine, sworn April 18, 2022, and the Affidavit of Service of Joy Mutuku sworn and filed on April 25, 2022; **AND UPON HEARING** the submissions of counsel for the Receiver and all other interested parties present;


**IT IS HEREBY ORDERED AND DECLARED THAT:**

**SERVICE**

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, 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.

**APPROVAL OF RECEIVER’S ACTIVITIES**

2. The Receiver’s accounts for fees and disbursements, as set out in the Fifth Report, are hereby approved without the necessity of a formal passing of its accounts.
3. The accounts of the Receiver’s legal counsel, MLT Aikins LLP, for their fees and disbursements incurred since last approved by this Court on February 22, 2022 and as set out in the Fifth Report, are hereby approved without the necessity of a formal assessment of their accounts.
4. The Proposed Lot 32 Sales Process, as defined and outlined in paragraph 62 of the Fifth Report, is hereby approved.
5. The proposed Interim Distribution, as defined and outlined in paragraph 72 of the Fifth Report, is hereby approved.
6. The Receiver’s activities as set out in the Fifth Report filed herein are hereby ratified and approved.

  
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Justice of the Court of Queen’s Bench of Alberta