

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	<b>SEALING ORDER</b>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	MLT AIKINS LLP Barristers and Solicitors 2100, 222 3rd Avenue S.W. Calgary, Alberta T2P 0B4 Phone: 403.693.5420/4311 Fax: 403.508.4349 Attention: Ryan Zahara/Kaitlin Ward File: 0033124.00012




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<b>DATE ON WHICH THIS ORDER WAS PRONOUNCED:</b>	<b>APRIL 28, 2022</b>
<b>LOCATION AT WHICH ORDER WAS MADE:</b>	<b>CALGARY, ALBERTA</b>
<b>NAME OF THE JUDGE WHO MADE THIS ORDER:</b>	<b>JUSTICE D.B. NIXON</b>

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**UPON THE APPLICATION** (the "**Application**") of BDO Canada Limited, in its capacity as the Court-appointed receiver (the "**Receiver**") of all of the current and future assets, undertakings, and properties of every nature and kind whatsoever, and wherever situate, including all proceeds thereof, of Eagles Quay Properties Inc. (the "**Debtor**"), for an Order sealing certain confidential information, among other things; **AND UPON HAVING READ** the Receivership Order dated March 5, 2019 (the "**Receivership Order**"), the Sales Process Order dated May 16, 2019, the Fifth Report of the Receiver dated April 18, 2022 (the "**Fifth Report**"), 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 Confidential Affidavit of Jim Jardine, sworn April 18, 2022 (the “**Confidential Jardine Affidavit**”), the Receiver’s brief of law filed on September 8, 2021 and the Affidavit of Service of Joy Mutuku sworn and filed April 25, 2022; **AND UPON IT** appearing that all interested and affected parties have been served with notice of the Application; **AND UPON HEARING** the submissions of counsel for the Receiver and all other interested parties present;

**IT IS HEREBY ORDERED THAT:**

1. Part 6, Division 4 of the *Alberta Rules of Court* does not apply to the Application and the Clerk of the Court is hereby directed to seal the Confidential Supplement, the Second Confidential Supplement and the Confidential Jardine Affidavit.
2. The clerk of the Court is hereby directed to seal the Confidential Supplement, the Second Confidential Supplement and the Confidential Jardine Affidavit on the Court file until the earlier of:
  - i) an Order of this Court directs that the Confidential Supplement, the Second Confidential Supplement and the Confidential Jardine Affidavit be filed in this Action;  
or
  - ii) a sale of the last of the Debtor’s assets (the “**Assets**”) by the Receiver has closed, and the Receiver files a receiver’s certificate with the Clerk of the Court confirming a sale of the last of the Assets has closed.
3. The Clerk of the Court is hereby directed to seal the Confidential Supplement, the Second Confidential Supplement, and the Confidential Jardine Affidavit in an envelope setting out the style of cause in the within proceedings and labelled:

**THIS ENVELOPE CONTAINS CONFIDENTIAL DOCUMENTS. THESE CONFIDENTIAL DOCUMENTS ARE SEALED ON COURT FILE 1901-06628 PURSUANT TO THE ORDER ISSUED BY JUSTICE D.B. NIXON ON APRIL 28, 2022. THESE CONFIDENTIAL DOCUMENTS ARE NOT TO BE ACCESSED BY ANY PERSON UNTIL EARLIER OF AN ORDER OF THE COURT DIRECTING THAT THESE CONFIDENTIAL DOCUMENTS BE FILED OR AFTER THE FILING OF A FINAL RECEIVER'S CERTIFICATE FROM BDO CANADA LIMITED, IN ITS CAPACITY AS RECEIVER OF THE DEBTOR, CONFIRMING THAT THE CONFIDENTIAL DOCUMENTS MAY BE FILED.**



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THE HONOURABLE MR. JUSTICE D.B. NIXON  
JUSTICE OF THE COURT OF QUEEN'S BENCH  
OF ALBERTA