

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 **SEALING ORDER**
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



DATE ON WHICH THIS ORDER WAS PRONOUNCED: AUGUST 5, 2022
LOCATION AT WHICH ORDER WAS MADE: CALGARY, ALBERTA
NAME OF THE JUDGE WHO MADE THIS ORDER: JUSTICE C.M. JONES

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 Sixth Report of the Receiver dated July 25, 2022 (the "**Sixth Report**"), the Confidential Supplement to the Sixth Report dated July 25, 2022 (the "**Confidential Supplement**"), the

Confidential Affidavit of Jim Jardine, sworn July 22, 2022 (the “**Confidential Jardine Affidavit**”), the Receiver’s brief of law filed on September 8, 2021 and the Affidavit of Service of Joy Mutuku; **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 and the Confidential Jardine Affidavit.
2. The clerk of the Court is hereby directed to seal the 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 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 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 C.M. JONES ON AUGUST 5, 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.



THE HONOURABLE MR. JUSTICE C.M. JONES
JUSTICE OF THE COURT OF QUEEN'S BENCH
OF ALBERTA