

COURT FILE NO.: 2101-00809
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF BANK OF MONTREAL



DEFENDANTS METRO PAVING AND ROADBUILDING LTD., METRO PAVING LTD.,
METRO PARS CORPORATION and GRASSLANDS OF BEISEKER
DEVELOPMENT CORPORATION

DOCUMENT **ORDER APPROVING INTERIM DISTRIBUTION, ACTIONS OF
RECEIVER, ETC.**

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION
OF PARTY
FILING THIS
DOCUMENT

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File No.: 28677-31

Attention: Jeffrey Oliver / Danielle Marechal

DATE ON WHICH ORDER WAS PRONOUNCED: June 30, 2021
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice L.B. Ho
LOCATION OF HEARING: Calgary, Alberta

UPON THE APPLICATION OF BDO Canada Limited, in its capacity as receiver and manager (in such capacity, the “**Receiver**”) of the assets, undertakings and properties of Metro Paving and Roadbuilding Ltd. (“**Roadbuilding**”), Metro Paving Ltd. (“**Paving**”), Metro Pars Corporation (“**Pars**”) and Grasslands of Beiseker Development Corporation (“**Grasslands**” and together with Roadbuilding and Pars, the “**Companies**”) for an Order, *inter alia*, (i) approving of the conduct and activities of the Receiver; and (ii) approving the Receiver’s interim statements of receipts and disbursements; **AND UPON HAVING READ** the Receivership Order pronounced on January 20, 2021, the Second Report of the Receiver dated May 31, 2021 (the “**Second Report**”), the Third Report of the Receiver dated June 21, 2021 (the “**Third Report**”), the Confidential Supplement to the Report dated June 21, 2021 (the “**Confidential Supplement**”), Affidavit of Service of Richard Kay, sworn June 28, 2021, the Fee Affidavit of Jeffrey Oliver,

sworn June 21, 2021 and the Fee Affidavit of Clark Lonergan, sworn June 21, 2021; **AND UPON HEARING** the submissions of counsel to the Receiver and any other interested party;

IT IS HEREBY ORDERED THAT:

1. Service 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. Terms not otherwise defined herein shall have the meaning ascribed to them in the Second Report and the Third Report.

Interim Distribution

3. Following the payment of professional fees and other administrative costs associated with the sale of the Calgary Property and Auction Sale, the Receiver is hereby authorized and empowered to make the distributions set out in paragraphs 70 and 71 of the Third Report provided that such distributions shall be subject to reasonable holdbacks as the Receiver deems necessary for the payment of estimated priority payables and the administration of these proceedings.

Actions of the Receiver

4. The Receiver's activities as set out in the Second Report, Third Report and Confidential Supplement, including without limitation, the Statement of Receipts and Disbursements, are hereby ratified and approved.

Service

5. Service of this order shall be deemed good and sufficient by serving same on the persons listed on the service list in these proceedings and by posting a copy of it on the Receiver's website at: <http://www.bdo.ca/en-ca/extranets/metrogroupofcompanies>.
6. Service of this order on any party not listed on the service list for this application is hereby dispensed with.



J.C.Q.B.A