



No. S251915
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

**IN THE MATTER OF THE RECEIVERSHIP OF BRIERE PRODUCTION GROUP INC. and
BRIERE TRANSPORTATION LTD.**

BETWEEN:

ROYAL BANK OF CANADA

PETITIONER

AND:

BRIERE PRODUCTION GROUP INC.,
BRIERE TRANSPORTATION LTD. and
CHRISTOPHER BRIERE

RESPONDENTS

NOTICE OF APPLICATION

Name of Applicant: BDO Canada Limited in its capacity as court-appointed Receiver (the "Receiver" or the "Applicant") of Briere Production Group Inc. ("BPG") and Briere Transportation Ltd. ("BT" and together with BPG, the "Companies")

TO: All Parties of Record

TAKE NOTICE that an application will be made by the Applicant to the presiding judge at the courthouse at 800 Smithe Street, Vancouver, BC V6Z 2E1 on March 10, 2026 at 9:45 a.m. for the order(s) set out in Part 1 below.

The Applicant estimates that the application will take 10 minutes.

This matter is not within the jurisdiction of an associate judge.

PART 1: ORDER(S) SOUGHT

1. An order confirming that service of this Notice of Application has been made on all interested parties and abridging the time of service to the date of actual service;
2. An Order substantially in the form attached hereto as Schedule "A" (the "Fee Approval and Discharge Order") for among other things:

- (a) approving the activities of the Receiver as well as its fees and disbursements, as described in the First Receiver's Report, dated July 9, 2025 (the "**First Report**"), and the Second Receiver's Report, dated February 13, 2026 (the "**Second Report**" and collectively referred to as the "**Receiver's Reports**");
 - (b) approving the fees and disbursements of the Receiver and its legal counsel, Gowling WLG (Canada) LLP ("**Gowling**") in these receivership proceedings (including its estimate of fees and expenses to conclude the receivership) as set out in Appendices "A" to "D" to the Second Report, the Affidavit #1 of Christopher Bowra, sworn February 17, 2026 (the "**BDO Fee Affidavit**"), and the Affidavit #1 of Jonathan Ross, sworn February 20, 2026 (the "**Gowling Fee Affidavit**");
 - (c) authorizing and directing the Receiver to pay all of its outstanding fees, disbursements and expenses including counsel's fees as approved herein and to pay the balance of the funds it holds as Receiver to the secured creditors, Royal Bank of Canada, Business Development Bank of Canada and the Toronto-Dominion Bank in accordance with the respective priority payables;
 - (d) discharge the Receiver in these proceedings;
 - (e) discharge and release the Receiver from any and all claims;
 - (f) notwithstanding its discharge herein:
 - (i) the Receiver shall remain the Receiver for the performance of incidental duties as may be required to complete the administration of the receivership herein; and
 - (ii) the Receiver shall continue to have the benefit of the provisions any orders made in this proceeding including all approvals, protections and stays of proceedings in favour of the Receiver, in its capacity as Receiver;
 - (g) approving the Receiver's additional fees, disbursements and taxes to a maximum of \$25,000 to complete the administration of the estate;
 - (h) approving additional fees, disbursements and taxes of the Receiver's legal counsel to a maximum of \$15,000 to complete the administration of the estate; and
3. Such further and other relief as counsel may request and this Honourable Court may deem just.

PART 2: FACTUAL BASIS

Background

1. On April 10, 2025 and effective May 1, 2025, the Honourable Justice J. Walker pronounced a receivership order (the "**Receivership Order**") in which the court appointed BDO Canada Limited as receiver (the "**Receiver**") over all of the assets, undertakings and property of the Companies.

2. Briere Production Group Inc. ("**BPG**") was in the business of live event productions including acquiring and leasing audio, visual and lighting equipment to be used in film and entertainment.

3. Briere Transportation Ltd. ("**BT**") was in the business of providing shipping and transportation services to BPG and third-party customers.

4. On July 21, 2025, the Honourable Justice Masuhara approved an asset purchase agreement between the Receiver and the purchaser, Sound Waves Entertainment Network Ltd., for the assets of BPG.

5. On August 1, 2025, the Honourable Justice Milman granted a distribution order (the "**Distribution Order**") in which the court authorized the Receiver to distribute the BPG sale proceeds in accordance with the respective priority payables

6. On August 1, 2025, the Honourable Justice Milman granted a production order (the "**Production Order**") in which the court ordered the principal of the Companies, Christopher Briere, to provide access to and produce all records, documents and information relating to the Companies as enumerated in paragraphs 4-7 of the Receivership Order and to turn over all assets owned by the Companies which were not in the Receiver's possession.

7. On September 23, 2025, the Receiver assigned BPG into bankruptcy.

Sales Process

8. The Receiver conducted a comprehensive marketing and sales process, contacting approximately 50 industry participants and 6 auctioneers, receiving 25 expressions of interest and 6 formal offers, and ultimately negotiated and accepted an offer from Sound Waves of \$1,730,000 for the assets of Production to Sound Waves, representing the highest and best offer. Details of the marketing and sales process are provided in the Receiver's First Report to the Court.

9. Subsequent to the acceptance of the Sound Wave offer, the Receiver received a further expression of interest from one of the parties who had previously submitted a bid during the initial sales process. The interested party (the "**2nd Offeror**") advised that, upon further review, they were prepared to increase their offer and requested an opportunity to inspect the assets. The Receiver permitted a supervised site visit and tour of the warehouse to allow the interested party to view the assets.

10. The 2nd Offeror notified the Receiver of their intention to bring a competing offer to Court. At the Court application to approve the Sound Waves offer, the Court allowed a sealed bid process to proceed.

11. Upon conclusion of the sealed bid process, Sound Waves submitted the best offer, in the amount of \$2,033,502, representing a material improvement over its prior offer and maximizing realizations for the benefit of creditors. The transaction was subsequently approved by the Court and closed shortly thereafter.

Briere Transportation Ltd. Assets

12. No acceptable offers were made for the BT assets, namely the Hino and Manac trucks.

13. Able Auctions included the Hino and Manac in an industrial and vehicle auction. Their proposal included a commission fee of 10% of the gross sale proceeds, in addition to applicable transportation and handling costs.

14. The Receiver sold the BT Assets through Able Auctions for gross proceeds of \$40,500.

15. Pursuant to the Receiver's powers granted under the Receivership Order, the Receiver may without the approval of the court sell the Property of the Companies for consideration of up to \$50,000 in a single transaction, provided that the aggregate consideration for all such transactions does not exceed \$200,000.

Receiver's Activities

16. The activities of the Receiver since its appointment are described in detail in the Receiver's Reports.

17. By way of summary, the Receiver's activities included:

- (a) Performing its statutory obligations pursuant to subsections 245(1) and 246(1) of the *Bankruptcy and Insolvency Act* (Canada), in relation to creditor and Official Receiver notification;
- (b) Attending at the Companies' premises located at 8061 Lougheed Highway, Burnaby, British Columbia;
- (c) Changing the locks;
- (d) Completing 3 customer engagements to enhance recoveries for creditors;
- (e) Engaging the services of bailiffs and security personnel to secure the premises and safeguard the Companies' assets;
- (f) Arranging for security patrols of the premises;

- (g) Retaining Gowling WLG (Canada) LLP ("**Gowling**") as independent legal counsel to the Receiver;
- (h) Administering 12 WEPP claims;
- (i) Issuing Records of Employment;
- (j) Retaining contractors to assist with inventory identification;
- (k) Soliciting expressions of interest and offers for the purchase of the Companies' inventory, vehicles, and intellectual property;
- (l) Soliciting auction proposals for the disposition of assets;
- (m) Coordinating inventory and asset viewings for prospective purchasers;
- (n) Reviewing offers and proposals received in respect of the inventory and assets, and consult with the Royal Bank of Canada regarding the same;
- (o) Engaging necessary service providers for alarm systems, security, and utilities;
- (p) Securing the Companies' assets, including obtaining and reviewing bank statements;
- (q) Providing regular updates to the secured creditors regarding the status of the receivership;
- (r) Procuring appropriate insurance coverage for the Companies' assets and properties;
- (s) Contacting parties with registered security interests in specific assets;
- (t) Obtaining access to certain business management software;
- (u) Investigating an insurance claim regarding a potential recovery for inventory damaged in a fire;
- (v) Completing the sale of BPG's assets to Sound Waves;
- (w) Facilitating the auctioning of BT's assets;

- (x) Assigning BPG into bankruptcy;
- (y) Making a distribution of funds to the Canada Revenue Agency (the "CRA") and the secured creditors; and,
- (z) Preparing two Receiver's Reports to Court,

(the "Activities").

Fee Approval and Distribution

18. On July 18, 2025, the Honourable justice Milman granted a Distribution Order in which the court authorized the Receiver to distribute the BPG sale proceeds in accordance with the respective priority payables.
19. The CRA completed a payroll trust examination and filed deemed trust claims for payroll source deductions of \$806,337.91 in respect of BPG and \$20,735 in respect of BT. Both amounts have been paid in full.
20. The CRA has completed its GST examination and filed an unsecured claim of \$129,687.95 in respect of BPG. With respect to BT, the CRA has completed its GST examination and confirmed that no amounts are owing.
21. As set out in the Second Report, the Receiver has made a distribution of \$685,823 and \$85,207 to RBC and BDC, respectively.
22. As set out in the Second Report, all property from the Companies has been realized upon and the Receiver currently holds \$158,000 in its trust account (the "Proceeds").
23. In order to conclude its mandate in these proceedings, the Receiver seeks an order authorizing and directing the Receiver to distribute the remaining Proceeds.
24. The Receiver estimates that a final distribution will be available to be paid to the Royal Bank of Canada, the Business Development Bank of Canada and the Toronto-Dominion Bank after payment of all outstanding fees and expenses associated with the administration of the receivership. There will not be any funds available for any unsecured creditors.
25. The Receiver seeks to distribute the Proceeds less a holdback of \$25,000 for professional fees and costs to complete the administration of the receivership and less a holdback of \$15,000 additional legal fees for it's counsel to a maximum of \$15,000 to complete the administration of the receivership, including the preparation of the Receiver's application for discharge.
26. Particulars of the activities, fees and disbursements of the Receiver's legal counsel are contained in Appendices "A" to "D" to the Second Receiver's Report, the BDO Fee Affidavit and the Gowling Fee Affidavit.

27. In the Receiver's opinion, the services rendered in respect of these fees and disbursements have been duly rendered in response to the required and necessary duties of the Receiver hereunder, and are reasonable in the circumstances.

28. Having completed its duties under the Receivership Order, the Receiver seeks the Orders sought in this application.

PART 3: LEGAL BASIS

29. The Applicant relies on:

- (a) the Orders made herein;
- (b) *Law and Equity Act*, R.S.B.C. 1996, c. 250;
- (c) Supreme Court Civil Rules;
- (d) the inherent jurisdiction of this Court; and
- (e) such further and other legal basis as counsel may advise and this Court may allow.

The approval of the Receiver's activities is appropriate

30. The BDO Fee Affidavit outlines the specific activities undertaken by the Receiver for which the Court's approval is sought.

31. Approval of the Receiver's activities set out in the BDO Fee Affidavit is appropriate in these circumstances because such approval will:

- (a) allow the Receiver to move forward with its discharge;
- (b) bring the Receiver's activities before the Court;
- (c) allow an opportunity for the concerns of the stakeholders to be addressed and any problems rectified;
- (d) enable the Court to satisfy itself that the Receiver's activities have been conducted in a prudent and diligent matter;
- (e) provide protection for the Receiver not otherwise provided; and
- (f) protect the creditor and other stakeholders from delay including to the Receiver's final distribution caused by re-litigation of steps already taken and potential indemnity claims by the Receiver;

Hangfeng Evergreen Inc., (Re), 2017 ONSC 7161 at paras 15-17

The fees of the Receiver and its legal counsel are fair and reasonable and properly incurred

32. The Receivership Order requires that the Receiver and its counsel pass their accounts and permits the hearing to be on a summary basis.

33. On the passage of the Receiver's accounts the Court should consider factors including:

- (a) the value of the assets;
- (b) complications and difficulties encountered by the Receiver;
- (c) degree of assistance provided by the debtor;
- (d) time spent by the Receiver;
- (e) Receiver's knowledge, experience and skill;
- (f) diligence and thoroughness;
- (g) responsibilities assumed;
- (h) results; and
- (i) cost of comparable services.

Redcorp Ventures Ltd. (Re.), 2016 BCSC 188 [**Redcorp**]
at para 23

34. Similar factors are to be considered on passing of the accounts of the Receiver's legal counsel, including:

- (a) the time expended;
- (b) the complexity of the receivership;
- (c) the degree of responsibility assumed by the lawyers;
- (d) the amount of money involved, including reference to the debt, amount of proceeds after realization, payments to the creditors;
- (e) the degree and skill of the lawyers involved;
- (f) the results achieved;
- (g) the ability of the client to pay; and
- (h) the clients expectations as to the fee.

Redcorp Ventures Ltd. (Re.), supra.
at para. 26, 33

35. It is not necessary for the Court to go through the dockets, hours, the explanations or disbursements, line by line, in order to determine what the appropriate fees are. Nor is the Court to second guess the amount of time claimed unless it is clearly excessive or overreaching. The

appellate Courts have directed that judges should consider all the relevant factors, and should award costs (or fees) in a more holistic manner. The accounts provided by the Receiver should:

- (a) be verified by affidavit;
- (b) include information regarding the standard rates and charges of each of the personnel who had worked on the receivership;
- (c) include an indication of seniority of the personnel within the profession; and
- (d) include a narrative description about what was done and the time taken that permits the Court to ascertain whether the fees were properly made or incurred.

Redcorp at paras 27, 32
See also *Bank of Nova Scotia v. Diemer*, 2014 ONSC 365, at
para 19

36. In these circumstances the fees of the Receiver are fair and reasonable and properly incurred, particularly in light of the facts as set out in the BDO Fee Affidavit and Gowling Fee Affidavit.

37. The Applicant submits that:

- (a) The Receiver's fees were properly incurred and commensurate with fees charged by other insolvency firms of similar size for work of a similar nature in British Columbia;
- (b) work by the Receiver and its legal counsel was delegated to the appropriate professionals with the appropriate seniority and hourly rates; and
- (c) the services of the Receiver and its counsel were performed in a prudent and economical manner; and
- (d) the accounts of the Receiver's counsel were provided to the Receiver when rendered and all have been approved by the Receiver.

The release of the Receiver is appropriate

38. The Applicant seeks as part of the Receiver's discharge an Order releasing the Receiver from all claims except gross negligence or willful misconduct. It is appropriate to grant releases to receivers upon their discharge and each case should be dealt with on its own merits.

39. Releases may be granted to, among other things, protect receivers from the cost in time and money of defending unmeritorious claims brought after their discharge in circumstances where they are unable to recover such costs from the estate. Receiver's do not enjoy the same statutory protection as is provided to trustees in bankruptcy pursuant to s. 41(8) of the *Bankruptcy and Insolvency Act*. However, releases should not be granted with respect to gross negligence or willful misconduct.

Redcorp at para 12
See also *Ed Mirvish Enterprises Ltd. v. Stinson Hospitality Inc.*,
2009 CarswellOnt 6167, at paras 8, 9, 14

PART 4: MATERIAL TO BE RELIED ON

1. First Report of the Receiver dated July 9, 2025
2. Second Report of the Receiver dated February 13, 2026
3. Affidavit #1 of Christopher Bowra, made February 17, 2026
4. Affidavit #1 of Jonathan Ross, made February 20, 2026
5. Such further materials as counsel may advise.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to the application, you must

- (a) file an application response in Form 33 within 5 days after the date of service of this notice of application or, if the application is brought under Rule 9-7 of the Supreme Court Civil Rules, within 11 days after the dates of service of this notice of application, and
- (b) at least 2 days before the date set for the hearing of the application, serve on the applicant 2 copies, and on every other party one copy, of a filed copy of the application response and the other documents referred to in Rule 9-7 (12) of the Supreme Court Civil Rules.

Date: February 20, 2026



Signature of lawyer for the Applicant,
BDO Canada Limited in its capacity as
Court-Appointed Receiver of Briere
Production Group Inc. and Briere
Transportation Ltd.

To be completed by the court only:	
Order made	
<input type="checkbox"/>	in the terms requested in paragraphs _____ of Part 1 of this notice of application
<input type="checkbox"/>	with the following variations and additional terms:

Date: _____	
Signature of <input type="checkbox"/> Judge <input type="checkbox"/> Associated Judge	

APPENDIX

[The following information is provided for data collection purposes only and is of no legal effect.]

THIS APPLICATION INVOLVES THE FOLLOWING:

[Check the box(es) below for the application type(s) included in this application.]

- discovery: comply with demand for documents
- discovery: production of additional documents
- other matters concerning document discovery
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts
- other

SCHEDULE "A"

No. S251915
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF THE RECEIVERSHIP OF BRIERE PRODUCTION GROUP INC. and
BRIERE TRANSPORTATION LTD.

BETWEEN:

ROYAL BANK OF CANADA

PETITIONER

AND:

BRIERE PRODUCTION GROUP INC.,
BRIERE TRANSPORTATION LTD. and
CHRISTOPHER BRIERE

RESPONDENTS

ORDER MADE AFTER APPLICATION

FEE APPROVAL AND DISCHARGE ORDER

BEFORE THE HONOURABLE

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)
)

_____/_____/2026

ON THE APPLICATION of BDO Canada Limited ("**BDO**") in its capacity as Court-appointed Receiver (in such capacity, the "**Receiver**") of the assets, undertakings and properties of Briere Production Group Inc. ("**BPG**") and Briere Transportation Ltd. ("**BT**" and together with BPG, the "**Companies**") coming on for hearing at Vancouver, British Columbia, on the 10th day of March, 2026; AND ON HEARING Amarit Bains, counsel for the Receiver, and those other counsel listed on **Schedule "A"** hereto; AND UPON READING the material filed, including the Report of the Receiver dated July 9, 2025, the Report of the Receiver dated February 13, 2026 (collectively, the "**Reports**"), the Affidavit #1 of Christopher Bowra sworn February 17, 2026 (the

"BDO Fee Affidavit"), the Affidavit #1 of Jonathan Ross sworn February 20, 2026 (the **"Gowling Fee Affidavit")**)

THIS COURT ORDERS AND DECLARES THAT:

1. Good service of this Notice of Application has been made on all interested parties;
2. The activities of the Receiver, as set out in the Reports, are hereby approved;
3. The fees and disbursements of the Receiver and its counsel, as set out in the Reports, the BDO Fee Affidavit and the Gowling Fee Affidavit, including the estimate of fees to conclude matters, be and are hereby approved, without the necessity of a formal passing of accounts in respect of any such fees incurred or charged after the date of this Order;
4. After payment of the fees and disbursements of the Receiver and its counsel, as herein approved, the Receiver shall pay all funds remaining in its hands to the Royal bank of Canada, the Business Development Bank of Canada and the Toronto-Dominion Bank and in accordance with the respective priority payables;
5. Upon payment of the amounts set out in paragraph 3 and 4 hereof, the Receiver shall be discharged as Receiver of the assets, undertaking and property of the Companies, provided that notwithstanding its discharge herein: (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein; and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of BDO, in its capacity as Receiver;
6. BDO is hereby released and discharged from any and all liability that BDO now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of BDO while acting in its capacity as Receiver herein. Without limiting the generality of the foregoing, BDO is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings;
7. Additional Receiver's fees, disbursements and taxes to a maximum of \$25,000 to complete the administration of the estate;

8. Additional fees, disbursements and taxes of the Receiver's legal counsel to a maximum of \$15,000 to complete the administration of the estate;
9. Notwithstanding any provision herein, this Order shall not affect any person to whom notice of these proceedings was not delivered as required by the *Bankruptcy and Insolvency Act* and regulations thereto, any other applicable enactment or any other Order of this Court; and
10. The requirement for the signature of counsel appearing on this Order, other than counsel for the Receiver, is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

Signature of Amarit Bains
Counsel for BDO, Court-appointed Receiver

REGISTRAR

No. S251915
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY AND INSOLVENCY
BETWEEN:

ROYAL BANK OF CANADA

PETITIONER

AND:

BRIERE PRODUCTION GROUP INC.,
BRIERE TRANSPORTATION LTD. and
CHRISTOPHER BRIERE

RESPONDENTS

NOTICE OF APPLICATION
(Discharge of Receiver)

GOWLING WLG (CANADA) LLP
Barristers & Solicitors
Bentall 5, Suite 2300,
550 Burrard Street
Vancouver, BC V6C 2B5
Attention: Jonathan Ross & Amarit Bains

Tel. No. 604.683.6498
Fax No. 604.683.3558

File No. G10054154