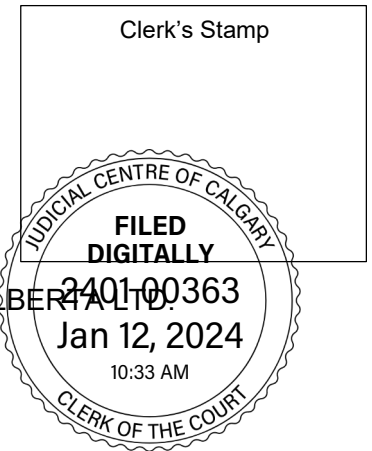


COURT FILE NUMBER 2401-00363
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF ATB FINANCIAL
DEFENDANTS STARKE CAPITAL CORP. AND 1637102 ALBERTA LTD.
DOCUMENT **AFFIDAVIT OF BRIAN SPILCHEN**
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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AFFIDAVIT OF BRIAN SPILCHEN
Sworn on January 9, 2024

I, BRIAN SPILCHEN, of the City of Calgary, in the Province of Alberta, **SWEAR AND SAY THAT:**

1. I am a Director, Corporate Risk Advisory and Management Group, with ATB Financial (the “**Lender**”). I have been directly involved with the accounts of Starke Capital Corp. (the “**Borrower**”) and 1637102 Alberta Ltd. (the “**Guarantor**”, the Guarantor and the Borrower are collectively referred to as, the “**Debtors**”) and I am currently responsible for overseeing the secured credit facilities provided by the Lender to the Borrower. Additionally, I have reviewed the books and records maintained by and in the possession of the Lender, in the ordinary course of business, which relate to the Debtors. Based on the aforementioned and upon such review, I have personal knowledge of the matters and facts hereinafter sworn to, except where stated to be based on information and belief, in which case, I believe the same to be true.

2. This affidavit is sworn in support of an application by the Lender (the “**Application**”) seeking the following relief:

- (a) if necessary, declaring that the time for service of the Application and this Affidavit is abridged to the date service was effective, that the Application is properly returnable on January 18, 2024, and that service of the Application and this affidavit is good and sufficient;