

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

**NORTHWEST TERRITORIES BUSINESS DEVELOPMENT
AND INVESTMENT CORPORATION**

Plaintiff

- and -

TAIGA SPORTS FISHING LTD. o/a BLACHFORD LAKE LODGE

Defendant

NOTICE OF MOTION

TAKE NOTICE that an application will be made before the presiding Judge in Chambers at the Court House in the City of Yellowknife, Northwest Territories, on Friday the 24th day of November, 2023 at 10:00 a.m. or so soon thereafter as counsel can be heard on behalf of BDO Canada Limited (the “**Receiver**”), in its capacity as Receiver and Manager of the assets, undertakings and properties of the Defendant Taiga Sports Fishing Ltd. o/a Blachford Lake Lodge (“**Taiga**”) for the following relief:

1. A sealing order in substantially the form attached hereto as Schedule “B” (the “**Sealing Order**”), sealing the Confidential Supplement to the Receiver’s Second Report (the “**Confidential Supplement**” and the “**Second Report**” respectively) on the Court file until the earlier of:
 - a. The Receiver’s Certificate has been filed in relation to the proposed sale transaction; or
 - b. Further Order of the Court.
2. Such further and other relief as Counsel may request and this Honourable Court may deem appropriate.

AND FURTHER TAKE NOTICE that the Receiver intends to rely upon the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3; *Sierra Club of Canada v. Canada (Minister of Finance)*, [2002] 2 SCR 522 at paras. 53-57 and the inherent jurisdiction of this Honourable Court.

AND FURTHER TAKE NOTICE that the grounds upon which this application is based are as follows:

1. The Confidential Supplement contains and discusses matters of a highly sensitive commercial nature, and their publication could result in serious commercial damage to Taiga's estate and could prejudice any future sales process, in the event that the proposed sale transaction does not close, to the detriment of Taiga's stakeholders.
2. The Sealing Order is the least restrictive and prejudicial alternative to prevent the dissemination of commercially sensitive information about the sales process, the proposed sale transaction, Taiga's property and the respective stakeholders.
3. It is fair and just in the circumstances to restrict public access to the Confidential Supplement.
4. Such further and other grounds as may be disclosed at the hearing of this application.

AND FURTHER TAKE NOTICE that in support of the application will be read the Second Report, which will be filed and served before the hearing of this matter; the Affidavit of Kevin Meyler, sworn October 27, 2023; the Receivership Order, Affidavit(s) of Service, to be filed, and such further and other materials as counsel may advise and this Honourable Court may permit.

DATED at the City of Edmonton, in the Province of Alberta, this 17th day of November, 2023.

Field LLP



(Sharon Stefanyk) Lindsey Miller
Counsel for BDO Canada Limited in its capacity
as Receiver and Manager of Taiga Sports
Fishing Ltd. o/a Blachford Lake Lodge

TO: The Clerk of the Supreme Court

AND TO: The Service List attached as Schedule "A"

AND TO: The Media Service List attached as Schedule "B"

SCHEDULE "A" – SERVICE LIST

| Party | Address or Counsel Address |
|---|---|
| Northwest Territories Business Development and Investment Corporation | McLennan Ross LLP 301 Nunasi Building 5109 – 48 th Street Yellowknife, NT X1A 1N5 Attention: Christopher D. Buchanan File no. 20231295 E: Christopher.buchanan@mross.com |
| Taiga Sports Fishing Ltd. o/a Blachford Lake Lodge | Denroche & Associates 5107 – 53rd Street P.O. Box 2910 Yellowknife, NT X1A 2R2 Phone: 867.920.4151 Fax: 867.920.4252 Attention: Geoff Weist E: g.wiest@denrochelaw.ca With copy to Mike Freeland via email |
| Bank of Montreal | Lipman, Zener & Wasman PC 100 Sheppard Avenue East, Suite 850 Toronto ON, M2N 6N5 D: 416-789-0655 Ph: 416-789-0652 x367 F: 416-789-9015 Attention: Jason Spetter E: jspetter@lzwlaw.com |
| Air Tindi Ltd. | Lawson Lundell Suite 200, YK Centre East 4915 – 48 th Street PO Box 818 Yellowknife, NT 2N6 X1A Fax: 888-981-2823 Attention: Tim Syer E: tsyer@lawsonlundell.com |
| Minister of Lands and Environment and Natural Resources | North Slave Regional Office Environment and Climate Change 140 Bristol Avenue 16 Yellowknife Airport (mailing) Yellowknife, NT X1A 3T2 Fax: 867-873-9754 E: ECC_NorthSlave_Slavenord@gov.nt.ca |
| Revenue Canada | Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1 |

Schedule "B" – Media Service List

| Media outlet | Email address |
|---|--|
| Canadian Broadcasting Corporation | webnorth@cbc.ca |
| 100.1 True North FM (Formerly Moose FM Radio) | news@mytruenorthnow.com |
| Radio Taiga | programmation@mediastenois.ca |
| L'Aquilon | presse@mediastenois.ca |
| Northern News Services Limited | advertising@nnsf.com |
| Cabin Radio | mailbox@cabinradio.ca |
| CKLB Radio | news@cklbradio.com |

S-1-CV-2023-000-151

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Lindsey Miller
Counsel for BDO Canada Limited
Field LLP
2500 - 10175 101 ST NW
Edmonton, AB T5J 0H3
T780-423-7649
F780-428-9329
lmiller@fieldlaw.com