

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 **SEALING ORDER**

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:** April 27, 2022  
**LOCATION OF HEARING:** Calgary, Alberta  
**NAME OF JUSTICE WHO MADE THIS ORDER:** The Honourable Justice B.E.C. Romaine

**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, among other things: (i) approving a purchase and sale agreement between the Receiver and Peregrine Demolition & Construction Ltd. dated March 9, 2022 (the “**Grasslands PSA**”); and (ii) approving a purchase and sale agreement between the Receiver and Statesman H.C. Ltd. dated April 13, 2022 (the “**Statesman PSA**” and together with the Grasslands PSA, the “**PSAs**”); **AND UPON HAVING** read the Receivership Order pronounced on January 20, 2021, the Fourth Report of the Receiver dated April 13, 2022, the Confidential Supplement to the Fourth Report dated April 13, 2022 and the Affidavit of Service of Richard Kay, sworn April 21, 2022; **AND UPON HEARING** counsel for the Receiver and any other interested parties in attendance;

**IT IS HEREBY ORDERED THAT:**

1. Service of this application (the "**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.

Sealing Order

2. The Confidential Supplement shall be sealed on the Court file, notwithstanding Division 4 of Part 6 of the *Alberta Rules of Court*, Alta Reg 124/2010, until the earlier of:
  - (a) the filing of Receiver's certificate(s) confirming that the sale of the purchased assets under each of the PSAs has closed;
  - (b) the discharge of the Receiver; or
  - (c) further Order of this Honourable Court;

(the "**Unsealing Date**").

3. The Confidential Supplement shall, until the Unsealing Date be sealed and kept confidential, to be shown only to a Justice of the Court of Queen's Bench of Alberta, and accordingly, shall be filed with the Clerk of the Court who shall keep the Confidential Supplement in a sealed envelope attached to a notice that sets out the style of cause of these proceedings and states:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED IN COURT FILE NO. 2101-00809. THE CONFIDENTIAL MATERIALS ARE SEALED PURSUANT TO THE SEALING ORDER ISSUED BY THE HONOURABLE MADAM JUSTICE B.E.C. ROMAINE ON APRIL 27, 2022.

4. The Receiver is empowered and authorized, but not directed, to provide the Confidential Supplement (or any portion thereof, or information contained therein) to any interested party, entity or person that the Receiver considers reasonable in the circumstances, subject to confidentiality arrangements satisfactory to the Receiver.
5. Any party may apply to set aside paragraph 2 of this order upon providing the Receiver and all other interested parties with 5 days notice of such application.
6. 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>.

7. Service of this order on any party not listed on the service list for this application is hereby dispensed with.

A handwritten signature in black ink, appearing to be 'J.C.Q.B.A.', written above a horizontal line.

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J.C.Q.B.A.