

**THE KING'S BENCH  
WINNIPEG CENTRE**

IN THE MATTER OF: THE APPOINTMENT OF A RECEIVER PURSUANT  
TO SECTION 243 OF THE *BANKRUPTCY AND*  
*INSOLVENCY ACT*, R.S.C. 1985, c. B-3 AS  
AMENDED, AND SECTION 55 OF *THE COURT OF*  
*KING'S BENCH ACT*, C.C.S.M. c. C280

BETWEEN:

**BANK OF MONTREAL,**

Applicant,

-and-

**GENESUS INC., CAN-AM GENETICS INC. and  
GENESUS GENETICS INC.,**

Respondents.

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**AFFIDAVIT OF JENNIFER GONCALVES  
SWORN JANUARY 22, 2025**

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**MLT AIKINS LLP**

Barristers and Solicitors  
30<sup>th</sup> Floor – 360 Main Street  
Winnipeg, MB R3G 4G1

**J.J. BURNELL / ANJALI SANDHU**

Telephone: (204) 957-4663/(204) 957-4760  
Facsimile: (204) 957-0840  
File No. 0128056.00004

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**AFFIDAVIT OF JENNIFER GONCALVES**

I, JENNIFER GONCALVES, of the City of Winnipeg, in the Province of  
Manitoba, Paralegal,

**MAKE OATH AND SAY:**

1. I am employed by the law firm MLT Aikins LLP ("**MLT Aikins**") in the  
capacity of paralegal and as such, have personal knowledge of the


facts and matters hereinafter deposed to by me except where such facts and matters are stated to be based on information and belief in which case I believe them to be true.

2. MLT Aikins is counsel for the Court-appointed Receiver, BDO Canada Limited (the “**Receiver**”) in respect of this matter.
3. On January 22, 2025, I ordered and obtained from the Manitoba Land Titles Office an electronic copy of Status of Title No. 3332995/1 (the “**Status of Title**”). Attached hereto and marked as **Exhibit “A”** is a copy of the Status of Title.
4. I make this Affidavit *bona fide*.


SWORN before me at the City )  
of Winnipeg, in the Province of )  
Manitoba, this 22<sup>nd</sup> day of )  
January, 2025. )



\_\_\_\_\_  
A Notary Public in and  
for the Province of Manitoba

  
\_\_\_\_\_  
JENNIFER GONCALVES

This is Exhibit "A" referred to in the  
affidavit of  
Jennifer Goncalves  
sworn (or affirmed) before me,  
this 22<sup>th</sup> day of January, 2025



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A Notary Public in and for the Province of Manitoba

## STATUS OF TITLE

Title Number **3332995/1**  
Title Status **Accepted**  
Client File **0128056.00004/ML/JG**



### 1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

10014640 MANITOBA INC.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON  
IN THE FOLLOWING DESCRIBED LAND:

LOT 3 PLAN 18974 WLTO  
IN RL 12 TO 14 PARISH OF ST CHARLES

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

### 2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**  
Registration Number: **85-38881/1**  
Instrument Status: **Accepted**

Registration Date: 1985-05-07  
From/By: THE CITY OF WINNIPEG  
To:

Amount:  
Notes: No notes  
Description: No description

Instrument Type: **Mortgage**  
Registration Number: **4434702/1**  
Instrument Status: **Accepted**

Registration Date: 2013-12-03  
From/By: GENESUS INC.  
To: FARM CREDIT CANADA

Amount: \$1,400,000.00  
Notes: No notes  
Description: No description

**INSTRUMENTS THAT AFFECT THIS INSTRUMENT**

<u>Registration Number</u>	<u>Instrument Type</u>	<u>Status</u>
4704984/1	Amending Agreement	Accepted
5029775/1	Amending Agreement	Accepted

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Instrument Type: **Amending Agreement**  
Registration Number: **4704984/1**  
Instrument Status: **Accepted**

Registration Date: 2016-03-21  
From/By: FARM CREDIT CANADA  
To: GENESUS INC.

Amount:  
Notes: No notes  
Description: No description

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Instrument Type: **Amending Agreement**  
Registration Number: **5029775/1**  
Instrument Status: **Accepted**

Registration Date: 2018-12-20  
From/By: FARM CREDIT CANADA  
To: GENESUS INC.

Amount:  
Notes: No notes  
Description: No description

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Instrument Type: **Mortgage**  
Registration Number: **5583625/1**  
Instrument Status: **Accepted**

Registration Date: 2023-10-12  
From/By: GENESUS INC.  
To: BANK OF MONTREAL

Amount: \$8,000,000.00  
Notes: No notes  
Description: Includes Land in PLTO & NLTO



Instrument Type: **Certificate Of Judgment**  
Registration Number: **5602937/1**  
Instrument Status: **Accepted**

Registration Date: 2023-12-15  
From/By: SEA AIR INTERNATIONAL FORWARDERS LIMITED  
Against: GENESUS INC.

Amount: \$321,066.33  
Notes: No notes  
Description: File no. CI 23-01-44293 Agent: Peter Halamandaris

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Instrument Type: **Certificate Of Judgment**  
Registration Number: **5605846/1**  
Instrument Status: **Accepted**

Registration Date: 2023-12-29  
From/By: FERMES DURAND FARMS LTEE.  
Against: GENESUS INC.

Amount: \$800,815.19  
Notes: No notes  
Description: File no. CI 23-01-43827 Agent: Thomas Frohlinger

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Instrument Type: **Notice Of Appt. Of A Receiver/Mgr**  
Registration Number: **5654962/1**  
Instrument Status: **Accepted**

Registration Date: 2024-07-05  
From/By: BDO Canada Limited  
To:

Amount:  
Notes: No notes  
Description: Notice of appointment of receiver

Instrument Type:	<b>Caveat</b>
Registration Number:	<b>5664132/1</b>
Instrument Status:	<b>Accepted</b>
Registration Date:	2024-08-02
From/By:	BDO CANADA LIMITED
To:	ANJALI SANDHU as agent
Amount:	
Notes:	No notes
Description:	Equitable Mortgage, K.B. Order CI 24-01-45056 attached

<b>3. ADDRESSES FOR SERVICE</b>  10014640 MANITOBA INC. BOX 278 101 - 2ND ST OAKVILLE MB R0H 0Y0												
<b>4. TITLE NOTES</b>  No title notes												
<b>5. LAND TITLES DISTRICT</b>  Winnipeg												
<b>6. DUPLICATE TITLE INFORMATION</b>  Duplicate not produced												
<b>7. FROM TITLE NUMBERS</b>  2698800/1          All												
<b>8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS</b>  No real property application or grant information												
<b>9. ORIGINATING INSTRUMENTS</b>  <table> <tr> <td>Instrument Type:</td> <td><b>Request To Issue Title</b></td> </tr> <tr> <td>Registration Number:</td> <td><b>5706373/1</b></td> </tr> <tr> <td>Registration Date:</td> <td>2024-12-12</td> </tr> <tr> <td>From/By:</td> <td>10014640 Manitoba Inc.</td> </tr> <tr> <td>To:</td> <td></td> </tr> <tr> <td>Amount:</td> <td></td> </tr> </table>	Instrument Type:	<b>Request To Issue Title</b>	Registration Number:	<b>5706373/1</b>	Registration Date:	2024-12-12	From/By:	10014640 Manitoba Inc.	To:		Amount:	
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From/By:	10014640 Manitoba Inc.											
To:												
Amount:												



**10. LAND INDEX**

Lot 3 Plan 18974

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE  
SYSTEM OF TITLE NUMBER 3332995/1