

**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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**NOTICE OF MOTION  
HEARING DATE: WEDNESDAY, JANUARY 29<sup>th</sup>, 2025 AT 9:00 A.M.  
BEFORE THE HONOURABLE MR. JUSTICE CHARTIER**

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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**  
Phone: (204) 957-4663 / (204) 957-4760  
Fax: (204) 957-0840

File No. 0128056.00004

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.

**NOTICE OF MOTION**

BDO Canada Limited, the Court-appointed receiver and manager (the "**Receiver**") of all of the assets, undertakings and properties of 10014640 Manitoba Inc. (formerly Genesus Inc.) ("**Genesus**"), 3940480 Manitoba Inc. (formerly Can-Am Genetics Inc.) ("**Can-Am**"), and Genesus Genetics Inc. ("**GGI**"), and together with Genesus and Can-Am, the "**Debtors**") relating to, acquired for, or used in relation to a business carried on by the Debtors, including all proceeds thereof (collectively, the "**Property**"), will make a motion before the Honourable Mr. Justice Chartier on January 29, 2025 at 9 o'clock in the forenoon or as soon after that time as the motion can be heard, at the Law Courts Building, 408 York Avenue, Winnipeg, Manitoba.

**THE MOTION IS FOR:**

1. An Order, substantially in the form attached hereto as **Schedule “1”** (the “**Park Blvd. SAVO**”), *inter alia*,
  - a. Approving the sale transaction contemplated by the Asset Sale Agreement dated December 16, 2024, as amended by a Reinstatement and Amendment dated January 15, 2025 (together, the “**Park Blvd. APA**”) between the Receiver in its capacity as Receiver of the Property, as vendor, and Luyao Li and Kenan Yang (together “**Li and Yang**”), as purchasers, attached as **Appendix “B”** to the Confidential Supplement and attached in a redacted form as **Appendix “A”** to the Fourth Report of the Receiver dated January 22, 2025 (“**Fourth Report**”);
  - b. Approving and authorizing the Receiver to execute the Park Blvd. APA and to take any additional steps and execute such additional documents as may be necessary or desirable for completion of the Park Blvd. APA;
  - c. Vesting in Li and Yang, upon the delivery of a Receiver’s certificate, all of the Receiver’s and Genesis’ right, title and interest in and to the assets described in the Park Blvd. APA (the “**Park Blvd. Purchased Assets**”) free and clear of any claims and encumbrances;
  - d. Ordering that the net proceeds from the sale of the Park Blvd. Purchased Assets shall stand in the place of the Park Blvd. Purchased Assets with the same priority as immediately before the sale;

2. An Order, substantially in the form attached hereto as **Schedule “2”** (the **“Ancillary Order”**) , *inter alia*,
  - a. Abridging the time for service of the Notice of Motion and materials filed in support of this motion, such that this motion is properly returnable on January 29, 2025, at 9:00 AM, and dispensing with further service thereof;
  - b. Approving the Fourth Report and the activities and actions of the Receiver as described therein, including the statements of receipts and disbursements;
  - c. Approving the fees and disbursements of the Receiver from June 11, 2024 to December 31, 2024, and the fees and disbursements of its legal counsel from January 9, 2024 to December 31, 2024; and
  - d. Sealing the Confidential Supplement (the **“Confidential Supplement”**) to the Fourth Report; and
3. Such further and other relief as the Honourable Court may deem just.

**THE GROUNDS FOR THIS MOTION ARE:**

4. By means of the Order (Appointing Receiver) of the Honourable Mr. Justice Chartier pronounced in these proceedings on June 11, 2024 (the **“Receivership Order”**), BDO Canada Limited was appointed as Receiver of the Property.

**Park Blvd. APA**

5. The Property include real property located at the civic address of 570 Park Boulevard West, Winnipeg, Manitoba and legally referred to as:

Title No. 3332995/1  
Lot 3 Plan 18974 WLTO  
In RL 12 to 14 Parish of St. Charles  
(the "**Park Blvd. Property**")

6. On or about August 27, 2024, the Park Blvd. Property was listed for sale through Century 21 Backman and Associates, The Moore Group ("**Moore Group**") real estate brokerage.
7. On September 5, 2024, the Receiver received an offer for the Park Blvd. Property from a potential purchaser (the "**Potential Purchaser**") and entered into an asset sale agreement (the "**First Park Blvd. APA**") for the Park Blvd. Property with the Potential Purchaser.
8. The Receiver initially sought Court approval of the First Park Blvd. APA in its motion returnable on October 8, 2024. However, the Receiver was subsequently advised by the Potential Purchaser that he would be unable to satisfy the closing conditions set out in the First Park Blvd. APA. Accordingly, the Receiver advised this Honourable Court that it was no longer seeking approval of the First Park Blvd. APA.
9. On or about December 12, 2024, the Receiver received an offer (the "**Li and Yang Offer**") from Li and Yang for the Park Blvd. Property. The Receiver

entered into negotiations and the Li and Yang Offer was amended (the **“Amended Li and Yang Offer”**).

10. The Receiver entered into the Park Blvd. APA for the Park Blvd. Property with Li and Yang. The Park Blvd. APA contains the following key terms and conditions:
  - a. Deposit of 5% of the purchase price;
  - b. Closing date of February 25, 2025; and
  - c. Subject to approval of the Court.
11. The Receiver supports the sale of the Park Blvd. Property to Li and Yang for, *inter alia*, the following reasons (amongst others):
  - a. the Park Blvd. Property was listed with a realtor and the sales process was fair and transparent;
  - b. BMO and FCC, the two mortgage holders, support the transaction;
  - c. the Amended Li and Yang Offer is fair and reasonable;
  - d. the Receiver is of the opinion that further marketing of the Park Blvd. Property will not result in a better offer being received; and
  - e. closing the Park Blvd. APA will eliminate the ongoing holding costs (i.e. property taxes, insurance, utilities).

12. The Receiver is of the view that the “Total Purchase Price” (as defined in the Park Blvd. APA) is fair and commercially reasonable and recommends the approval of the Park Blvd. APA.
13. The sale process was conducted in a fair, transparent and reasonable manner, which has succeeded in obtaining a reasonable value for the Park Blvd. Property from a purchaser capable of closing the transaction.
14. The sale of the Park Blvd. Property is in the best interests of the parties and all stakeholders.
15. The sale process by which the offer was obtained was conducted with efficacy, integrity and transparency and there had been no unfairness in the working out of the sale process.
16. Court approval of the Park Blvd. APA is a condition precedent to the closing of the transaction.

#### **Receiver’s Report and Activities**

17. An Order approving the activities of the Receiver to date, inclusive of the Receiver’s Statement of Receipts and Disbursements as outlined in the Fourth Report, is necessary, appropriate and in accordance with the standard practice of the Court in Court-supervised receivership proceedings.

#### **Authorization of Fees**

18. Paragraph 19 of the Receivership Order provides that the Receiver and counsel to the Receiver shall be paid their reasonable fees and disbursements, in each case at their standard rates.
19. Paragraph 20 of the Receivership Order provides that the Receiver and its legal counsel shall pass their accounts from time to time.
20. The Receiver's accounts are reasonable and in each case at the standard rates and charges.

### **Sealing Order**

21. The public disclosure of the Confidential Supplement poses a serious risk to a commercial interest, which constitutes an important public interest (the **"Identified Interest"**).
22. The requested sealing order is necessary to prevent the risk to the Identified Interest and there are no reasonable alternative measures available to prevent this risk.
23. The benefits of granting the requested sealing order outweigh any negative effects.
24. *The Court of King's Bench Act*, C.C.S.M. c. C280, ss. 37(1), 55 and 77(1).
25. *King's Bench Rules*, Man. Reg. 553/88, as amended, Rules 2.03, 3.02, 16 and 37.
26. *The Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, ss. 243 & 247.



27. The inherent jurisdiction of the Court.

28. Such further and other grounds as counsel may advise and this Honourable Court may permit.

**THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:**

1. The Receivership Order;
2. The Fourth Report of the Receiver, to be filed;
3. The Confidential Supplement to the Fourth Report of the Receiver, to be filed;
4. Such further and other evidence as counsel may advise and this Honourable Court may permit.

January 22, 2025

**MLT AIKINS LLP**  
Barristers and Solicitors  
30<sup>th</sup> Floor – 360 Main Street  
Winnipeg, Manitoba R3C 4G1  
Attn: J.J. Burnell/Anjali Sandhu  
Telephone: 204-957-4663/4760  
Facsimile No.: 204-957-0840

**TO: THE ATTACHED SERVICE LIST**

**Schedule “1”**

File No. CI 24-01-45056

**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  
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B E T W E E N:

**BANK OF MONTREAL,**

Applicant,

- and –

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

Respondents.

---

**APPROVAL AND VESTING ORDER  
PARK BLVD. PROPERTY**

---

**MLT AIKINS LLP**  
Barristers and Solicitors  
30<sup>th</sup> Floor – 360 Main Street  
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Fax: (204) 957-0840

File No. 0128056.00004

THE KING'S BENCH  
WINNIPEG CENTRE

THE HONOURABLE

)

WEDNESDAY, THE 29<sup>TH</sup>

MR. JUSTICE CHARTIER

)

DAY OF JANUARY, 2025

)

IN THE MATTER OF:     THE APPOINTMENT OF A RECEIVER PURSUANT TO  
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B E T W E E N:

**BANK OF MONTREAL**

Applicant,

- and -

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

Respondents.

**APPROVAL AND VESTING ORDER  
PARK BLVD. PROPERTY**

THIS MOTION, made by BDO Canada Limited in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of the assets, undertakings, and properties of 10014640 Manitoba Inc. (formerly Genesus Inc.) ("**Genesus**"), 3940480 Manitoba Inc. (formerly Can-Am Genetics Inc.) ("**Can-Am**") and Genesus Genetics Inc. ("**GGI**"), and together with Genesus and Can-Am, the "**Debtors**") for an order, approving the sale transaction (the "**Park Blvd. Transaction**") contemplated by an agreement of purchase and sale (the "**Park Blvd. APA**") between the Receiver and Luyao Li and Kenan Yang (together "**Li and Yang**"), dated December 16, 2024, as amended by a Reinstatement and Amendment dated January 15, 2025 and appended in a redacted form to the Fourth Report of the Receiver dated January 22, 2025 (the "**Fourth Report**") and in an unredacted form to the Confidential Supplement to the Fourth Report of the

Receiver dated January 22, 2025, and vesting in Li and Yang the Receiver's and Genesis' right, title and interest in and to the assets described in the Park Blvd. APA (the "**Park Blvd. Purchased Assets**"), was heard this day at the Law Courts Building, 408 York Avenue, Winnipeg, Manitoba.

ON READING the First Report of the Receiver dated July 2, 2024, the Second Report of the Receiver dated July 24, 2024, the Third Report of the Receiver dated October 2, 2024, the Fourth Report and each of the respective confidential supplements thereto and on hearing the submissions of counsel for the Receiver, counsel for the Bank of Montreal, counsel for Farm Credit Canada [NAMES OF OTHER PARTIES APPEARING], no one appearing for any other person on the Service List, although properly served as appears from the affidavit of [NAME] sworn [DATE] filed:

1. THIS COURT ORDERS AND DECLARES that the Park Blvd. Transaction is hereby approved, and the execution of the Park Blvd. APA by the Receiver is hereby authorized and approved, with such minor amendments as the Receiver may deem necessary. The Receiver is hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable for the completion of the Park Blvd. Transaction and for the conveyance of the Park Blvd. Purchased Assets to Li and Yang.

2. THIS COURT ORDERS AND DECLARES that upon the delivery of a Receiver's certificate to Li and Yang substantially in the form attached as **Schedule "A"** hereto (the "**Receiver's Certificate**"), all of the Receiver's and Genesis' right, title and interest in and to the Park Blvd. Purchased Assets described in the Park Blvd. APA shall vest absolutely in Li and Yang, free and clear of and from any and all security interests (whether contractual, statutory, or otherwise), hypothecs, mortgages, trusts or deemed trusts (whether contractual, statutory, or otherwise), liens, executions, levies, charges, or other financial or monetary claims, whether or not they have attached or been perfected, registered or filed and whether secured, unsecured or otherwise (collectively, the "**Claims**") including, without limiting the generality of the foregoing: (i) any encumbrances or charges created by the Order of the Honourable Mr. Justice Chartier pronounced June 11, 2024; (ii) all charges, security interests or claims evidenced by registrations pursuant

to *The Personal Property Security Act* (Manitoba) or any other personal property registry system; and (iii) those Claims listed on **Schedule “C”** hereto (all of which are collectively referred to as the "**Encumbrances**", which term shall not include the permitted encumbrances, easements and restrictive covenants listed on **Schedule “D”** and, for greater certainty, this Court orders that all of the Encumbrances affecting or relating to the Park Blvd. Purchased Assets are hereby expunged and discharged as against the Park Blvd. Purchased Assets.

3. THIS COURT ORDERS that upon the registration in the Winnipeg Land Titles Office ("**WLTO**") of a Transmission in the form prescribed by *The Real Property Act* (Manitoba) duly executed by Li and Yang, and accompanied by a certified true copy of this Order, title to the real property identified in **Schedule “B”** hereto (the "**Real Property**") shall vest in Li and Yang subject to all instruments registered on title at that time, other than those described in Schedule “C”, and the District Registrar is hereby directed to issue title accordingly.

4. THIS COURT ORDERS that this Order shall be accepted by the District Registrar notwithstanding that the appeal period in respect of this Order has not elapsed, which appeal period is expressly waived.

5. THIS COURT ORDERS that for the purposes of determining the nature and priority of Claims, the net proceeds from the sale of the Park Blvd. Purchased Assets shall stand in the place and stead of the Park Blvd. Purchased Assets, and that from and after the delivery of the Receiver's Certificate all Claims and Encumbrances shall attach to the net proceeds from the sale of the Park Blvd. Purchased Assets with the same priority as they had with respect to the Park Blvd. Purchased Assets immediately prior to the sale, as if the Park Blvd. Purchased Assets had not been sold and remained in the possession or control of the person having that possession or control immediately prior to the sale.

6. THIS COURT ORDERS AND DIRECTS the Receiver to file with the Court a copy of the Receiver's Certificate, forthwith after delivery thereof.

7. THIS COURT ORDERS that, notwithstanding:

- (a) the pendency of these proceedings;

- (b) any applications for a bankruptcy order now or hereafter issued pursuant to the *Bankruptcy and Insolvency Act* (Canada) in respect of Gensus and any bankruptcy order issued pursuant to any such applications; and
- (c) any assignment in bankruptcy made in respect of Gensus;

the vesting of the Park Blvd. Purchased Assets in Li and Yang pursuant to this Order shall be binding on any trustee in bankruptcy that may be appointed in respect of Gensus and shall not be void or voidable by creditors of Gensus, nor shall it constitute nor be deemed to be a fraudulent preference, assignment, fraudulent conveyance, transfer at undervalue, or other reviewable transaction under the *Bankruptcy and Insolvency Act* (Canada) or any other applicable federal or provincial legislation, nor shall it constitute oppressive or unfairly prejudicial conduct or action other than in good faith pursuant to any applicable federal or provincial legislation.

8. THIS COURT HEREBY REQUESTS the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.

January \_\_\_\_, 2025

\_\_\_\_\_  
Chartier, J.

I, ANJALI SANDHU, OF THE FIRM OF MLT AIKINS LLP HEREBY CERTIFY THAT I HAVE RECEIVED THE CONSENTS AS TO FORM OF THE FOLLOWING PARTIES:

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AS DIRECTED BY THE HONOURABLE MR. JUSTICE CHARTIER

## Schedule "A" – Form of Receiver's Certificate

Court File No. CI 24-01-45056

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

B E T W E E N:

**BANK OF MONTREAL**

Applicant

- and -

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

Respondents

### **RECEIVER'S CERTIFICATE** **(PARK BLVD. PROPERTY)**

#### **RECITALS**

A. Pursuant to an Order of the Honourable Mr. Justice Chartier of the Manitoba Court of King's Bench (the "**Court**") pronounced June 11, 2024, BDO Canada Limited was appointed as the receiver and manager (the "**Receiver**") of the assets, undertaking, and property of 10014640 Manitoba Inc. (formerly Genesus Inc.) ("**Genesus**"), 3940480 Manitoba Inc. (formerly Can-Am Genetics Inc.) ("**Can-Am**") and Genesus Genetics Inc. ("**GGI**", and together with Genesus and Can-Am, the "**Debtors**").

B. Pursuant to an Order of the Court pronounced January 29, 2025, the Court approved the agreement of purchase and sale made as of December 16, 2024, as amended by a Reinstatement and Amendment dated January 15, 2025 (the "**Park Blvd. APA**") between the Receiver and Luyao Li and Kenan Yang (together "**Li and Yang**") and

provided for the vesting in Li and Yang of the Receiver's and Genesus' right, title and interest in and to the Park Blvd. Purchased Assets, which vesting is to be effective with respect to the Park Blvd. Purchased Assets upon the delivery by the Receiver to Li and Yang of a certificate confirming (i) the payment by Li and Yang of the Total Purchase Price for the Park Blvd. Purchased Assets; (ii) that the conditions to Closing have been satisfied or waived by the Receiver and Li and Yang; and (iii) the Park Blvd. Transaction has been completed to the satisfaction of the Receiver.

C. Unless otherwise indicated herein, terms with initial capitals have the meanings set out in the Park Blvd. APA.

THE RECEIVER CERTIFIES the following:

1. Li and Yang have paid and the Receiver has received the Total Purchase Price for the Park Blvd. Purchased Assets payable on the Closing Date pursuant to the Park Blvd. APA;
2. The conditions to Closing the Park Blvd. APA have been satisfied or waived by the Receiver and Li and Yang; and
3. The Park Blvd. Transaction has been completed to the satisfaction of the Receiver.

This Certificate was delivered by the Receiver at [REDACTED] [TIME] on \_\_\_\_\_, 2025.

**BDO CANADA LIMITED, in its capacity as Receiver of the undertaking, property and assets of 10014640 Manitoba Inc. (formerly Genesus Inc.), 3940480 Manitoba Inc. (formerly Can-Am Genetics Inc.), and Genesus Genetics Inc. and not in its personal capacity**

Per: \_\_\_\_\_  
Name:  
Title:



## **Schedule “B” – The Real Property**

**Registered Owner:** 10014640 Manitoba Inc.

**Title No.** 3332995/1

**Legal Description:**

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

## **Schedule “C” – Claims to be deleted and expunged from title to Real Property**

- Mortgage No. 4434702/1 to Farm Credit Canada in the amount \$1,400,000.00
- Amending Agreement No 4704984/1 by Farm Credit Canada
- Amending Agreement No 5029775/1 by Farm Credit Canada
- Mortgage No. 5583625/1 to Bank of Montreal in the amount \$8,000,000.00
- Certificate of Judgment No. 5602937/1
- Certificate of Judgment No. 5605846/1
- Notice of Appt. of a Receiver/Mgr No. 5654962/1
- Caveat No. 5664132/1

**Schedule “D” – Permitted Encumbrances, Easements and  
Restrictive Covenants related to the Real Property**

- Caveat No. 85-38881/1 by The City of Winnipeg

**Schedule “2”**

File No. CI 24-01-45056

**THE KING'S BENCH  
WINNIPEG CENTRE**

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B E T W E E N:

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- and –

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

---

**ANCILLARY ORDER**

---

**MLT AIKINS LLP**

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

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

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File No. 0128056.00004

THE KING'S BENCH  
WINNIPEG CENTRE

THE HONOURABLE

)

WEDNESDAY, THE 29<sup>TH</sup>

MR. JUSTICE CHARTIER

)

DAY OF JANUARY, 2025

)

IN THE MATTER OF:

THE APPOINTMENT OF A RECEIVER PURSUANT TO  
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BETWEEN:

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Applicant,

- and –

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

Respondents.

**ANCILLARY ORDER**

THIS MOTION, made by BDO Canada Limited in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of all of the assets, undertakings, and properties (collectively, the "**Property**") of 10014640 Manitoba Inc. (formerly Genesus Inc.) ("**Genesus**"), 3940480 Manitoba Inc. (formerly Can-Am Genetics Inc.) ("**Can-Am**"), and Genesus Genetics Inc. ("**GGI**"), and together with Genesus and Can-Am, the "**Debtors**") for an order, *inter alia*, approving the actions of the Receiver, approving the fees and disbursements of the Receiver and its counsel, and sealing the confidential supplement ("**Confidential Supplement**") to the Fourth Report ("**Fourth Report**") of the

Receiver each dated January 22, 2025, was heard this day at the Law Courts Building, 408 York Avenue, Winnipeg, Manitoba.

ON READING the First Report of the Receiver dated July 2, 2024, the Second Report of the Receiver dated July 24, 2024, the Third Report of the Receiver dated October 2, 2024, the Fourth Report, and each of the respective confidential supplements thereto and on hearing the submissions of counsel for the Receiver, counsel for the Bank of Montreal, counsel for Farm Credit Canada, [NAMES OF OTHER PARTIES APPEARING], no one appearing for any other person on the Service List, although properly served as appears from the affidavit of [NAME] sworn [DATE], filed:

1. THIS COURT ORDERS that the time for service of the Notice of Motion is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.
2. THIS COURT ORDERS that the actions of the Receiver to date in respect of its administration of these receivership proceedings and the Fourth Report, including the statements of receipts and disbursements contained in the Fourth Report and the activities of the Receiver described therein are hereby approved.
3. THIS COURT ORDERS that the fees and disbursements of the Receiver and its legal counsel as set out in the Fourth Report, are hereby approved.

4. THIS COURT ORDERS AND DECLARES that the Confidential Supplement be filed under seal, kept confidential and is not to form part of the public record, and shall remain stored electronically with this Court on an encrypted basis limiting access to only the Registrar of this Court and the presiding Judge, until:

- (a) further order of the Court; or
- (b) the sale transaction contemplated by: (i) the Park Boulevard Asset Sale Agreement dated December 16, 2024, as amended by a Reinstatement and Amendment dated January 15, 2025 between the Receiver in its capacity as the Receiver of the Property, as seller, and Luyao Li and Kenan Yang, as purchasers, attached as Appendix “B” to the Confidential Supplement and attached in a redacted form as Appendix “A” to the Fourth Report, has closed as evidenced by Receiver’s Certificate filed with this Court;

whichever shall first occur, at which time the Confidential Supplement shall be unsealed and thereafter form part of the public record.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Chartier, J.

I, ANJALI SANDHU, OF THE FIRM OF MLT AIKINS LLP HEREBY CERTIFY THAT I HAVE RECEIVED THE CONSENTS AS TO FORM OF THE FOLLOWING PARTIES:

\*\*\*

AS DIRECTED BY THE HONOURABLE MR. JUSTICE CHARTIER

**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.

---

**SERVICE LIST**  
**As at December 16, 2024**

---

**PITBLADO LLP**  
2500 - 360 Main Street  
Winnipeg, Manitoba  
R3C 4H6

**Catherine E. Howden / Madison Laval**

Phone No. (204) 956-3532  
Fax No. (204) 957-0227  
Email: howden@pitblado.com

(File No. 638/400)



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