



COURT FILE NUMBER: 1501-11817

COURT: COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE: CALGARY

PLAINTIFFS: EASY LOAN CORPORATION and MIKE TERRIGNO

DEFENDANTS: BASE MORTGAGE & INVESTMENTS LTD. AND  
BASE FINANCE LTD., ARNOLD BREITKRUETZ,  
SUSAN BREITKRUETZ, SUSAN WAY AND GP  
ENERGY INC

DOCUMENT: NOTICE OF APPLICATION

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF PARTY  
FILING THIS DOCUMENT

**Billington Barristers**  
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**NOTICE TO THE RESPONDENTS: BASE MORTGAGE & INVESTMENTS LTD. AND  
BASE FINANCE LTD., ARNOLD BREITKRUETZ, SUSAN BREITKRUETZ, SUSAN  
WAY AND GP ENERGY INC.**

**AND TO HIGGERTY LAW, ATTENTION: JACALYN SYMONDS, COUNSEL FOR  
PURCHASERS**

**AND TO WARREN BENSON AMANTEA LLP, ATTENTION: DENISE WHITELELY,  
COUNSEL FOR ROYAL BANK OF CANADA**

**AND TO RIVERSIDE LAW OFFICE, ATTENTION: CHRISTOPHER SOUSTER,  
COUNSEL FOR EASYLOAN CORPORATION AND MIKE TERRIGNO**

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Justice.

To do so, you must be in Court when the application is heard as shown below:

**Date:** May 10 ~~Minex Minerals Ltd. v. Eagle Peak Resources Inc., et al. - Court~~  
~~File No. 1101-15372, 2017~~  
**Time:** 10:00 am  
**Where:** Calgary Courts Centre  
**Before:** The presiding Justice in Chambers

Go to the end of this document to see what you can do and when you must do it.

**Remedy claimed or sought:**

The Applicant requests an Order:

1. Accepting the Receiver's Fifth Report and approving the actions of the Receiver taken to date;
2. Confirming that the Receiver is of the opinion that the security is valid and ought to be paid from sale proceeds of the properties, together with payment of other sums as outlined in the Receiver's Fifth Report;
3. Confirming that the Receiver recommends proceeding with the transactions pursuant to paragraph 6 of the Order herein dated April 13, 2017;
4. Amending the closing date;
5. Abridging time for service;

**Grounds for making this application:**

6. That the sale of the properties was directed by Order, dated April 13, 2017 and that the Receiver has confirmed that it is recommended to make certain payments from sale proceeds, and that if the same are authorized, the Receiver is prepared to proceed with the sale of the properties;

**Material or evidence to be relied on:**

7. Fifth Report of the Receiver;
8. Order of April 13, 2017

**Applicable rules:**

9. The *Alberta Rules of Court*; and
10. Such further and other Rules as counsel may advise;

**Applicable Acts and regulations:**

11. *Bankruptcy and Insolvency Act*, R.S.C. 1985, c B-3;
12. *Land Titles Act*, R.S.A. 2000 c.L-4;
13. *Judicature Act*, s.13, R.S.A. 2000 c.J-2;
14. *Business Corporations Act*, R.S.A. 2000, c.B-9; and
15. Such further and other Acts and Regulations as counsel may advise.

**Any irregularity complained of or objection relied on:**

16. Not Applicable.

**How the application is proposed to be heard or considered:**

17. Before the presiding Justice in Chambers.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in the application, you or your lawyer must attend in Court on the date and time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.