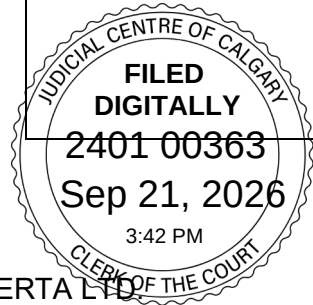


COURT FILE NUMBER 2401-00363
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF (APPLICANT) ATB FINANCIAL
DEFENDANTS (RESPONDENTS) STARKE CAPITAL CORP. and 1637102 ALBERTA LTD.

Clerk's Stamp:



DOCUMENT

APPLICATION (Discharge of Receiver)

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT

Burnet, Duckworth & Palmer LLP
2400, 525 – 8th Avenue SW
Calgary, AB T2P 1G1
Lawyers: David LeGeyt / Ryan Algar / Jessica MacKinnon
Phone Number: (403) 260-0210 / 0126 / 0112
Fax Number: (403) 260-0332
Email Address: dlegeyt@bdplaw.com
ralgar@bdplaw.com
jmackinnon@bdplaw.com
File No.: 74432/6

NOTICE TO RESPONDENT(S):

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

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

Date: **October 2, 2026**
Time: **2:00PM**
Where: **Calgary Courts Centre and via Webex**
<https://albertacourts.webex.com/meet/virtual.courtroom60>
Before Whom: **The Honourable Justice C.D. Simard**

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

Remedy claimed or sought:

1. An Order in substantially the form attached hereto as **Schedule "A"** (the "**Discharge Order**"), granting the following relief and directions:
 - (a) abridging, if necessary, the time for service of this Application and deeming service good and sufficient;
 - (b) approving the actions, conduct and fees and disbursements of BDO Canada Limited ("**BDO**") in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of the property, assets and undertakings (the "**Property**") of Starke Capital Corp. and 1637102 Alberta Ltd. (collectively, the "**Debtors**") as set out in the Second Report of the Receiver dated September 21, 2026 (the "**Second Report**");
 - (c) approving the professional fees, receipts and disbursements of the Receiver, and those of its legal counsel, Burnet, Duckworth & Palmer LLP (the "**Receiver's Counsel**"), including of the Completion Estimate, as set out in the Second Report;
 - (d) subject to any further order of the Court in respect of the Condo Corp Claim, authorizing and directing the Receiver to make the distributions as proposed in the Second Report; and
 - (e) discharging BDO as Receiver and terminating these proceedings, upon the conclusion of the remaining specified and administrative duties as described in the Second Report.
2. Such further and other relief, advice and directions as counsel may advise and this Honourable Court may deem just and appropriate.
3. Capitalized terms not otherwise defined in this Application have the meaning set forth in the Second Report.

Grounds for making this application:

4. Pursuant to an Order of the Honourable Justice R.A. Neufeld granted on January 18, 2024 (the "**Receivership Order**"), the Receiver was appointed as receiver, without security, of all of the Debtors' current and future assets, undertakings and property.
5. Pursuant to an Order of the Honourable Justice R.W. Armstrong on December 5, 2025, the Court approved a sale of the Debtors' right title and interest in the Lands.
6. The Receiver proposes to make distributions using the remaining funds in the receivership estate (the "**Distributions**").
7. Following the completion of the proposed Distributions, the Receiver will have substantially completed all aspects concerning the administration of the within receivership proceedings.
8. All of the actions in respect of the fees and disbursements incurred by the Receiver and its legal counsel during the course of the administration of the within proceedings (as further set forth in the Second Report) are reasonable and have been validly incurred in connection with the conduct of the Receiver's obligations in these proceedings.
9. The Receiver is not aware of any reason that it should be required for any further purposes and should be discharged as Receiver of the Property.
10. The discharge of the Receiver as proposed is just, appropriate and in the best interest of the administration of the receivership estate and the stakeholders affected thereby.
11. Such further and other grounds as counsel may advise and this Honourable Court may permit.

Material or evidence to be relied on:

12. All pleadings and proceedings filed in the within action, including the Receivership Order.
13. The Second Report, to be filed.
14. The inherent jurisdiction of this Honourable Court to control its own process.

15. Such further and other material and evidence as counsel may advise and this Honourable Court may permit.

Applicable Rules:

16. The BIA, the *Judicature Act*, RSA 2000, c J- 2, as amended, and such other Rules, Acts and Regulations as counsel may advise and that this Honourable Court may permit.

Applicable Acts and Regulations:

17. The BIA, the *Judicature Act*, RSA 2000, c J- 2, as amended, and such other Rules, Acts and Regulations as counsel may advise and that this Honourable Court may permit.

Any irregularity complained of or objection relied on:

18. None.

How the application is proposed to be heard or considered:

19. Before the Honourable Justice C.D. Simard on the Commercial List via Webex.

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 this application, you or your lawyer must attend in Court on the date and at the 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.

SCHEDULE "A"
DISCHARGE ORDER

See Attached

Clerk's Stamp:

COURT FILE NUMBER 2401-00363

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF
(APPLICANT) ATB FINANCIAL

DEFENDANTS
(RESPONDENTS) STARKE CAPITAL CORP. and 1637102 ALBERTA LTD.

DOCUMENT **ORDER FOR FINAL DISTRIBUTION,
APPROVAL OF RECEIVER'S FEES AND
DISBURSEMENTS, APPROVAL OF RECEIVER'S
ACTIVITIES AND DISCHARGE OF RECEIVER**

ADDRESS FOR
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ralgar@bdplaw.com
jmackinnon@bdplaw.com
File No.: 74432/6

DATE ON WHICH ORDER WAS PRONOUNCED: October 2, 2026

LOCATION OF HEARING: Calgary Courts Centre – via Webex

NAME OF JUDGE WHO MADE THIS ORDER: Honourable Justice C.D. Simard

UPON THE APPLICATION of BDO Canada Limited in its capacity as the Court-appointed receiver (the "**Receiver**") of the undertaking, property and assets of Starke Capital Corp. and 1637102 Alberta Ltd. (collectively, the "**Debtors**") for an Order for the final distribution of proceeds, approval of the Receiver's fees and disbursements, approval of the Receiver's activities, and discharge of the Receiver; **AND UPON** having read the Receiver's Second Report dated September 21, 2026 (the "**Second Report**"); **AND UPON** reading the Affidavit of Service of Angelamor Molod Donor, sworn [●], 2026; **AND UPON** hearing counsel for the Receiver and counsel for any other parties present; **AND UPON** being satisfied that it is appropriate to do so, **IT IS ORDERED THAT:**

SERVICE

1. Service of notice of this 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.
2. Capitalized terms not otherwise defined herein shall have the meaning given to them in the Second Report.

RECEIVER'S ACTIVITIES AND FEES

3. The Receiver's accounts for fees and disbursements, as set out in the Second Report, including the Completion Estimate are hereby approved without the necessity of a formal passing of its accounts.
4. The accounts of the Receiver's legal counsel, Burnet, Duckworth & Palmer LLP, for its fees and disbursements as set out in the Second Report, including the Counsel Completion Estimate, are hereby approved without the necessity of a formal assessment of its accounts.
5. The Receiver's actions, activities and conduct as set out in the Second Report, including the Interim and Projected SRD as attached to the Second Report, are hereby ratified and approved.

DISTRIBUTIONS

6. Receiver is authorized and directed to make the following distributions (the “**Distributions**”):
 - (a) to ATB Financial, all amounts not otherwise required for the administration of the receivership estate as described in the Second Report.
7. The Receiver is authorized and empowered to do such things, and execute and deliver such additional, related and ancillary documents and assurances governing or giving effect to the Distributions, which in the Receiver's discretion, are reasonably necessary or advisable to properly give effect to the Distributions or this Order.

FURTHER ACTIVITIES, DISCHARGE OF THE RECEIVER AND TERMINATION OF THESE PROCEEDINGS

8. The Receiver is authorized and directed to complete any tasks or other activities necessary to complete the administration of the estate.
9. On the evidence before the Court, the Receiver has satisfied its obligations under and pursuant to the terms of the Orders granted in the within proceedings up to and including the date hereof, and the Receiver shall not be liable for any act or omission on its part including, without limitation, any act or omission pertaining to the discharge of its duties in the within proceedings, save and except for any liability arising out of any in fraud, gross negligence or willful misconduct on the part of the Receiver, or with leave of the Court. Subject to the foregoing any claims against the Receiver in connection with the performance of its duties are hereby stayed, extinguished and forever barred.
10. No action or other proceedings shall be commenced against the Receiver in any way arising from or related to its capacity or conduct as Receiver, except with prior leave of this Court on Notice to the Receiver, and upon such terms as this Court may direct.

11. Upon the Receiver filing with the Clerk of the Court a certificate substantially in the form attached hereto as **Appendix "A"** (the "**Termination Certificate**"), certifying that:

- (a) the Receiver has effected the Distributions in accordance with paragraph 6 hereof;
and
- (b) to the extent required, all matters set out in paragraph 9 of this Order have been completed,

then the Receiver shall be discharged as Receiver, provided however, that notwithstanding its discharge herein: (i) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein; and (ii) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver.

12. The Receiver shall deliver a filed copy of the Termination Certificate to the service list maintained in these proceedings.

SERVICE OF THIS ORDER

13. Service of this Order shall be deemed good and sufficient by:

- (a) serving the same on:
 - (i) the persons listed on the service list created in these proceedings;
 - (ii) any other person served with notice of the application for this Order; and
 - (iii) any other parties attending or represented at the application for this Order;
and
- (b) posting a copy of this Order on the Receiver's website at:
<https://www.bdo.ca/starke>

and service on any other person is hereby dispensed with.

14. Service of this Order may be effected by facsimile, electronic mail, personal delivery, or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.

Justice of the Court of King's Bench of Alberta

APPENDIX "A"
TERMINATION CERTIFICATE

See Attached

Clerk's Stamp:

COURT FILE NUMBER 2401-00363

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF
(APPLICANT) ATB FINANCIAL

DEFENDANTS
(RESPONDENTS) STARKE CAPITAL CORP. and 1637102 ALBERTA LTD.

DOCUMENT

RECEIVER'S TERMINATION CERTIFICATE

ADDRESS FOR
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Burnet, Duckworth & Palmer LLP

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Calgary, AB T2P 1G1

Lawyers: David LeGeyt / Ryan Algar / Jessica MacKinnon

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ralgar@bdplaw.com

jmackinnon@bdplaw.com

File No.: 74432/6

- A. This Receiver's Certificate is the Receiver's Certificate referred to in paragraph 11 of the Order of the Honourable Justice C.D. Simard dated October 2, 2026 (the "**Discharge Order**") and granted in these proceedings.
- B. Capitalized terms not otherwise defined herein shall have the meaning given to them in the Second Report of the Receiver dated September 21, 2026 (the "**Second Report**") or the Discharge Order.
- C. Pursuant to the Order of the Honourable Justice R.A. Neufeld granted on January 18, 2026 (the "**Receivership Order**"), BDO Canada Limited was appointed as the Receiver of Starke Capital Corp. and 1637102 Alberta Ltd. (the "**Debtors**").

- D. Pursuant to the Discharge Order, the Receiver was discharged as Receiver to be effective upon the filing by the Receiver with the Court of a certificate confirming that the Receiver has completed the activities described in the Second Report, provided however, notwithstanding its discharge:
- (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein; and
 - (b) the Receiver, shall continue to have the benefit of all provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver.

THE RECEIVER HEREBY CERTIFIES the following:

- (a) the Receiver has effected the Distributions substantially as described in the Discharge Order; and
- (b) to the extent required, the Receiver has completed the matters set forth in paragraph 9 of the Discharge Order.

The undersigned is now discharged.

DATED at Calgary, Alberta this ____ day of _____, 202__.

**BDO CANADA LIMITED,
in its capacity as the Court-Appointed
Receiver of Starke Capital Corp. and
1637102 Alberta Ltd. and not in its personal
or corporate capacity**

Per: _____
Name: Kevin Meyler, CA, CIRP, LIT
Title: Senior Vice President