

COURT FILE NUMBER 2503 13640

COURT COURT OF KING'S BENCH OF ALBERTA

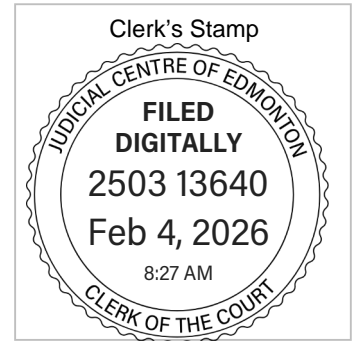
JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE COMPANIES'
CREDITORS ARRANGEMENT ACT, R.S.C.
1985, c. C-36, as amended

COAST AUTOMOTIVE GROUP INC., COAST
NORTH VANCOUVER AUTO SALES INC.,
COAST AUTO DRAYTON INC. and 2461765
ALBERTA LTD

APPLICANT COAST AUTOMOTIVE GROUP INC., COAST
NORTH VANCOUVER AUTO SALES INC.,
COAST AUTO DRAYTON INC., 2461765
ALBERTA LTD., SUNDEEP CHEEMA, and
DEEPAK PARMAR.

RESPONDENTS BANK OF MONTREAL



DOCUMENT APPLICATION BY PLAINTIFF

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT Blue Rock Law LLP
700, 215 9th Ave SW
Calgary, AB T2P 1K3

Attention: David W. Mann, KC and Scott Chimuk
T. 403.605.3992 / 587.390.7041
E. david.mann@bluerocklaw.com /
scott.chimuk@bluerocklaw.com
File: 1747-00001

NOTICE TO RESPONDENT(S): BDO CANADA LIMITED and BANK OF MONTREAL

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: **Friday, February 6, 2026**

Time: **10:00 AM**

Where: **VIA WEBEX (See Schedule "B" for details)**

Before Whom: **THE HONOURABLE JUSTICE HARRIS**

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. The Applicant in this matter (“Coast”) seeks an order from this court in the form of the attached Schedule “A”:
 - a. compelling the oral examination of Paul Lonegran (“Mr. Lonergan”), a corporate representative of the court-appointed Monitor in this matter, BDO Financial Canada Ltd (“BDO”), concerning the contents of the Third Report of the Monitor provided in these proceedings, dated December 2, 2025 (the “Third Report”)
 - i. Or, in the alternative, compelling BDO to provide answers, by way of affidavit, to the questions listed in paragraph 3 below.
 - b. Ordering the re-attendance for cross-examination of Mr. Longeran, as a representative of BDO, concerning his Fee Affidavit Sworn December 2, 2025.
 - c. Ordering that the December 9, 2025 scheduling Order of Justice Harris be varied such that the filing of briefs and the full day of hearing be adjourned *sine die* and instead that the within application be heard during the full day hearing scheduled for February 18, 2026.
 - d. Any other relief that this honourable court deems just.

Grounds for making this application:

2. On January 8, 2026, Coast submitted to BDO a list of 25 written interrogatories to be answered concerning the contents of the Third Report of the Monitor, dated December 2, 2025.
3. These written interrogatories contained the following relevant and material questions, which were refused by BDO:

Question No.	Question
1	On September 23, 2024 BDO provided the applicants with the BDO Memorandum as set out in the Founder Claim. Please confirm whether management implemented the recommended steps prior to the CCAA.
8	Was BDO approached by any law firm seeking to represent any one or more of the Applicants for a waiver of any real or perceived business or legal conflict? If so please

Question No.	Question
	provide all details including dates, names of parties, notes correspondence or other documents.
10	Was BDO involved in the negotiations, finalization, or performance of any aspect of: (a) the forbearance entered into between, among others, BMO and the Applicants?, or (b) the guarantees that were ostensibly provided by Sundeep Cheema, Deepak (Dean) Cheema, and Deerfoot Atria Partners Ltd. pursuant to that forbearance agreement? If yes to any of the foregoing please provide details of where, when and how such involvement took place as well as any documents, notes or correspondence related to same.
11	Has BDO served as receiver, trustee, or monitor of other car dealerships where BMO has been the lender? If so, please provide particulars including any documents or notes related to same
25	Why has BDO had no discussion with or consultation with management with respect to the allegations set out in the Founder Claim? How was that decision reached? Who was involved in that decision? Please provide all correspondence notes and documents relating to this issue.

4. BDO responded to the written interrogatories, in the form an unsworn document, on January 15, 2026 (the "Monitor's Response"). In the Monitor's Response, BDO failed to identify the specific reasons for the refusal to answer the above stated questions, and provided a blanket refusal that any unanswered questions were irrelevant or otherwise outside the scope of the monitor's report.
5. On January 22, 2026, Mr. Lonergan, was examined by Coast on the contents of his fee affidavit sworn December 2, 2026. In the course of the examination, counsel for BDO objected to forty-four questions by Coast, all on the basis of relevance and materiality.
6. The lack of responsiveness of the interrogatories coupled with the extensive and intrusive objections during cross examination effectively rendered both of those steps moot. As a result it is necessary that Mr. Lonergan reattend for cross examination on both the refused interrogatories as well as the objected to questions.

7. The conduct of the Monitor constitutes an exceptional situation which necessitates the relief sought herein, specifically,
- a. There is no current sales process at stake rather the relief sought by the Monitor is on the Monitor's own behalf;
 - b. There is no urgency to the relief sought by the Monitor;
 - c. The Monitor's application was set on the express basis that Justice Harris ordered written interrogatories and cross- examination – neither of which have been substantively complied with;
 - d. Any delay is attributable to the conduct of the Monitor in failing to comply with the substantive steps set out by Justice Harris; and
 - e. Such further and other grounds as will be set out.
8. Unfortunately, the Monitor's refusals as set out above necessitate that the previously agreed schedule be adjusted such that the filing of briefs and the full day of hearing be adjourned *sine die* and instead that the within application be heard during the full day hearing scheduled for February 18, 2026.

Material or evidence to be relied on:

9. The written interrogatories of Coast Automotive Group Inc ("Coast"), submitted January 8, 2026
10. The Responses to the Written Interrogatories of Coast, filed January 16, 2026
11. The transcript of the cross-examination of Paul Lonegran by Coast, conducted January 22, 2026
12. The Letter from Counsel for the Monitor dated January 30, 2026

Applicable rules:

13. Rules 5.22, 5.24, 5.25, and 5.28 of the Alberta Rules of Court

Applicable Acts and regulations:

14. None

Any irregularity complained of or objection relied on:

15. None

How the application is proposed to be heard or considered:

16. Virtual Hearing.

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.

2. Service of this Order on the persons listed on the Service List created in the within proceedings, by email, facsimile, registered mail, courier, or personal delivery, shall constitute good and sufficient service of this Order, and no persons other than the persons listed on the service list are entitled to be served with a copy of this Order. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
3. That the December 9, 2025 scheduling Order of Justice Harris be varied such that the filing of briefs and the full day of hearing be adjourned *sine die* and instead that the within application be heard during the full day hearing scheduled for February 18, 2026.
4. Costs of the within Application shall be granted against the Respondents.
5. This Order may be consented to electronically and in counterpart.

Justice of the Court of King's Bench of Alberta

SCHEDULE "B"

Andrea Arndt

From: CommercialCoordinator KBJEdmonton1
<CommercialCoordinator.KBJEdmonton@albertacourts.ca>
Sent: February 3, 2026 6:38 PM
To: Scott Chimuk
Cc: Reid, James; Hosking, Bryan A.; Bourassa, Kelly; Shalviri, Aryo; Morreau, Kyla; Norris-Brown, Kyle; Ceko, Marica; David Mann; Andrea Arndt; Elise Russell
Subject: WEBEX CONFIRMATION - 2503 13640 - COMPANIES' CREDITORS ARRANGMENT ACT VS. v. COAST AUTOMOTIVE GROUP INC. - Feb 06, 2026 10:00 AM - HARRIS, J - Confirmed

The above booking is Confirmed

File #(s) : 2503 13640

Style of Cause: COMPANIES' CREDITORS ARRANGMENT ACT VS. v. COAST AUTOMOTIVE GROUP INC.

Date/Duration:

Feb 06, 2026 10:00 AM

Total: 60 Minute(s)

Booking Type/List: Commercial

Purpose of Hearing: Commercial Hearing

Counsel: Kelly Jo-Ann Bourassa; Farrukh Ahmad; James William Reid; Kira Anastasia Lagadin

Special Requirements:

Requirements: Courtroom Required

Equipment: Video Conferencing

Notes: Virtual Courtroom Link:

Counsel: Please ensure that all relevant parties have received Webex information.

Virtual Courtroom 86 has been assigned for the above noted matter:

Virtual Courtroom Link:

<https://albertacourts.webex.com/meet/virtual.courtroom86>

Instructions for Connecting to the Meeting

1. Click on the link above or open up Chrome or Firefox and cut and paste it into your browser address bar.
2. If you do not have the Cisco Webex application already installed on your device, the site will have a button to install it. Follow installation instructions. Enter your full name and email address when prompted
3. Click on the **Open Cisco Webex Meeting**.
4. You will see a preview screen. Click on **Join Meeting**.

Key considerations for those attending:

1. Please connect to the courtroom **15 minutes prior** to the start of the hearing.
2. Please ensure that your microphone is muted and remains muted for the duration of the proceeding, unless you are speaking. Ensure that you state your name each time you speak.

3. If bandwidth becomes an issue, some participants may be asked to turn off their video and participate by audio only.
4. **Note: Recording or rebroadcasting of the video is prohibited.**
5. **Note: It is highly recommended you use headphones with a microphone or a headset when using Webex. This prevents feedback.**

For more information relating to Webex protocols and procedures, please visit: <https://www.albertacourts.ca/qb/court-operations-schedules/webex-remote-hearings-protocol>

You can also join the meeting via the "Cisco Webex Meetings" App on your smartphone/tablet or other smart device. You can download this via the App marketplace and join via the link provided above.

Thank you,

**Court of King's
Bench of Alberta**

**Cour du Banc du
Roi de l'Alberta**

Melissa Martel for Corbyn Burik
Commercial Duty Coordinator

commercialcoordinator.kbjedmonton@albertacourts.ca

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Edmonton, Alberta T5J 0R2
