

COURT FILE NUMBER

COURT/ESTATE NUMBER 24-2746532
24-2746511
24-2746514

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL UNDER THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED, OF ALBERTA RAILWAY DEVELOPMENT CORPORATION

AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL UNDER THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED, OF 12703131 CANADA LTD.

AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL UNDER THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED, OF 7198362 MANITOBA LTD.

APPLICANT MNP LTD. in its capacity as trustee pursuant to the Notices of Intention to Make a Proposal of each of Alaska-Alberta Railway Development Corporation, 12703131 Canada Ltd., and 7198362 Manitoba Inc.

DOCUMENT **ORDER (Termination of Period for Filing a Proposal, Payment of Professional Fees)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTIES FILING THIS DOCUMENT
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File No.: 26420-158262

DATE ON WHICH ORDER WAS PRONOUNCED: July 12, 2021

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Justice D.L. Shelley

LOCATION OF HEARING: Edmonton, Alberta

UPON THE APPLICATION of MNP Ltd. in its capacity as trustee (in such capacity, the “**Proposal Trustee**”) under the Notices of Intention to Make a Proposal (each, an “**NOI**”) of Alaska-Alberta Railway Development Corporation (“**AARDC**”), 12703131 Canada Ltd. (“**127**”), and 7198362 Manitoba Inc. (“**719**” and together with AARDC and 127, the “**Companies**”) filed June 18, 2021; **AND UPON** having read the First Report of the Proposal Trustee, dated July 7, 2021 (the “**First Report**”) and the Preliminary Report of the Proposed Interim Receiver dated July 7, 2021; **AND UPON** noting the Affidavit of Service of Sherry Stern, affirmed on July 9, 2021, to be filed; **AND UPON** hearing the submissions of counsel for the Proposal Trustee, counsel for the Companies, and any other counsel or interested parties present;

IT IS HEREBY ORDERED THAT:

Service

1. The time for service of the notice of application for this order (the “**Order**”) is hereby abridged and deemed good and sufficient and this application is properly returnable today, and no other than those persons served is entitled to service of the notice of application.

Termination of Stay Periods

2. The thirty-day period granted under section 50.4(8) of the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3, as amended, to each of 12703131 Canada Ltd. and 7198362 Manitoba Ltd. to file a proposal is terminated and MNP Ltd. is appointed as the trustee in bankruptcy of 12703131 Canada Ltd. and 7198362 Manitoba Ltd.

Payment of Professional Fees

3. The Proposal Trustee and the Proposal Trustee’s legal counsel shall be paid their reasonable professional fees and disbursements, including any pre-filing fees and disbursements as part of the costs of the NOI proceedings of each of the Companies.

General

4. 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 Queen's Bench of Alberta