

FORM 87

NOTICE AND STATEMENT OF RECEIVER

Subsection 245(1) and 246(1) of the *Bankruptcy and Insolvency Act*

**IN THE MATTER OF THE RECEIVERSHIP OF
793085 ALBERTA LTD. O/A 49TH STREET GRILL**
of the Town of Athabasca, in the Province of Alberta

THE RECEIVER GIVES NOTICE AND DECLARES THAT:

On February 9, 2024, upon the application of Canadian Imperial Bank of Commerce (“**CIBC**”), the Court of King’s Bench of Alberta granted an Order authorizing CIBC’s agent to enter the property located at 4901 49th Street, Athabasca, Alberta for the purposes of inspecting and carrying out such measures as CIBC deemed necessary for the interim preservation and maintenance of the Property.

Also, on February 9, 2024, CIBC appointed MNP Ltd. as its agent (the “**Agent**”) to realize on the assets, undertakings and properties of 793085 Alberta Ltd. (“**793 AB**” or the “**Company**”) secured by CIBC (as further described below).

BACKGROUND

793 AB was incorporated in the Province of Alberta in July 1998 with Shauna Milner being listed as the sole director and shareholder. The Company operated a restaurant known as the 49th Street Grill out of the Property until its operations were discontinued on or about January 31, 2024.

ASSETS

Following its appointment, the Agent has taken steps to protect and preserve the Property, including retaining Veranova Properties to provide property management services, changing the locks, ensuring the Property is winterized and utility service is in place and arranging for go-forward insurance coverage. The Receiver is in the process of completing an inventory of the assets held at the Property, which includes various restaurant equipment.

To date, the Agent has been provided with only selected of the books and records of 793 AB.

CREDITORS

CIBC is currently owed approximately \$530,200 pursuant to various credit facilities. As noted above, CIBC holds a mortgage on the Property as well as a general security agreement over all of the Company's present and after-acquired property.

Canada Revenue Agency is currently estimated to have a claim of approximately \$251,500 for payroll source deductions and a claim of approximately \$20,500 for GST. In addition, based on the available books and records of the Company, the Company has unsecured creditors with claims totaling approximately \$51,200.

The list of the Company's known creditors is attached hereto as "Schedule 1".

PLAN OF ACTION

The Agent will be working with CIBC to assess various realization alternatives.

The contact person for the Receiver is as follows:

MNP Ltd. in its sole capacity as Receiver of 793085 Alberta Ltd. o/a the 49th Street Grill
2000, 112 – 4th Avenue SW
Calgary, AB T2P 0H3
Telephone: 1-403-537-8393
Email: temitope.muraina@mnp.ca

Attention: Temitope Muraina

This notice is being provided for information purposes only. The Receiver does not currently anticipate that funds will be available to the Company's ordinary unsecured creditors and, as such, does not anticipate that a claims process will be undertaken.

Dated at Calgary, Alberta this 16th day of February 2024.

MNP Ltd., in its capacity as the Receiver for 793085
Alberta Ltd. o/a 49th Street Grill and not in its personal or
corporate capacity



Vanessa Allen, B. Comm, CIRP, LIT
Senior Vice President

- Creditor Mailing List -

In the Matter of the Receivership of
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Creditor Type	Name	Attention	Address	Claim \$
Preferred	CRA - Tax - Prairies		88918 7225 RP0001 Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1 Fax: (833) 697-2389	251,540.14
Secured	CIBC c/o Gowling WLG (Canada) LLP	Mr. Eric Rockefeller	793085 Alberta Ltd. c/o Gowling WLG (Canada) LLP, One Main Street West Hamilton ON L8P 4Z5	530,161.24
	Merchant Opportunities Fund Limited Partnership		658-1500 West Georgia Street Vancouver BC V6G 2Z6 support@merchantgrowth.com	1.00
Unsecured	Alberta Blue Cross		10009 - 108 Street NW Edmonton AB T5J 3C5	3,491.83
	Alberta Treasury Board & Finance	Hazel Trombley	9811 - 109 Street Edmonton AB T5K 2L5 Fax: (780) 644-4924	1.00
	Apex Utilities Inc.		5509 - 45 Street Leduc AB T9E 6T6	1,221.72
	Athabasca Home Hardware		5102 - 43 Street Athabasca AB T9S 1M1	366.63
	Athabasca Landing Business Services		4915 - 53 Street Athabasca AB T9S 1L1 carol@cjcpp.ca	528.73
	Athabasca Regional Waste Management		Box 90 Athabasca AB T9S 2A2	1,282.95
	Athabasca Value Drug Mart		4911 - 50 Street Athabasca AB T9S 1E1	1,852.95
	Bell TV		PO Box 3017, Station Terminal Vancouver BC V6B 6L1	1.00
	Buy Low Foods		4919 - 48 Street Athabasca AB T9S 1B9	1.00
	CRA - Tax - Prairies		88918 7225 RT0001 Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1 Fax: (833) 697-2389	20,460.42
	Ecolab Co.		Lockbox 917130, PO Box 2090 STN A Toronto ON M5W 0E9	5,525.34
	Entandem		1235 Bay Street, Suite 900 Toronto ON M5R 3K4	138.13
	Epcor		PO Box 500 Edmonton AB T5J 3Y3	9,178.40
	Gordon Food Service Canada Ltd.		Edmonton Division, 13511 - 163 Street NW Edmonton AB T5V 0B5	18,136.45
	Great West Media		Box 263, St. Albert St. Albert AB T8N 1N3 ar@greatwest.ca	21.00

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Creditor Type	Name	Attention	Address	Claim \$
Unsecured	Landing Liquor Store		4921 - 50 Street Athabasca AB T9S 1E1 landingliquorstore@hotmail.com	1,700.08
	Pegasus Edmonton		2004 - 80 Avenue Edmonton AB T6P 1N2	3,046.12
	Stillman LLP Barristers and Solicitors		100, 17420 Stony Plain Road NW Edmonton AB T5S 1K6	392.30
	Sysco Edmonton		26210 Township Road 531 A Edmonton AB T7X 5A4	1,190.67
	Telus Communications		PO Box 7575 Vancouver BC V6B 8N9	547.93
	Telus Mobility		PO Box 8950, Stn Terminal Vancouver BC V6B 3C3	1.00
	Town of Athabasca		4705 - 49 Avenue Athabasca AB T9S 1B7 town@athabasca.ca	577.35
	Westkey Graphics		8315 Riverbend Court Burnaby BC V3N 5E7 admin@westkeygraphics.com	1,493.10
	Workers' Compensation Board		9912 - 107 Street NW Edmonton AB T5K 1G5	507.63
