



COURT FILE NUMBER: 24-2806171  
COURT COURT OF <sup>KING'S BENCH</sup> ~~QUEEN'S~~ BENCH OF ALBERTA

**IN THE MATTER OF THE BANKRUPTCY OF ECO-INDUSTRIAL BUSINESS PARK INC.**

JUDICIAL CENTRE EDMONTON

APPLICANT MNP LTD., in its capacity as the TRUSTEE IN BANKRUPTCY OF ECO-INDUSTRIAL BUSINESS PARK INC., and not in its personal capacity

RESPONDENT SYMMETRY ASSET MANAGEMENT INC.

DOCUMENT: **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **OSLER, HOSKIN & HARCOURT LLP**  
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File Number: 1231987

**DATE ON WHICH ORDER WAS PRONOUNCED:** September 2, 2022

**NAME OF JUSTICE WHO MADE THIS ORDER:** Associate Chief Justice Nielsen

**LOCATION AT WHICH ORDER WAS MADE:** Edmonton, Alberta

**UPON THE APPLICATION** of MNP Ltd., in its capacity as the Trustee in Bankruptcy of Eco-Industrial Business Park Inc., and not in its personal capacity (the “**Trustee**”); **AND UPON** reviewing the Affidavit of Elena Pratt, sworn August 25, 2022 and the Affidavit of Haven Eboni Edwards, sworn August 26, 2022; **AND UPON** hearing from counsel for the Trustee and counsel for the Respondent, Symmetry Asset Management Inc. (“**Symmetry**”); **AND UPON** being advised that the Trustee has brought an application (the “**Fraudulent Conveyance Application**”) to be heard on October 27, 2022 for certain relief against Symmetry; **AND UPON** noting that counsel for the Trustee and counsel for Symmetry have reached an agreement with respect to the

various litigation steps which are to be taken by the parties leading up to the hearing of the Fraudulent Conveyance Application; **IT IS HEREBY ORDERED AND DECLARED THAT:**

1. The following litigation schedule is hereby ordered and confirmed, and the Trustee and Symmetry are hereby ordered to complete the following steps by the following dates:
  - a. August 5, 2022 – the Trustee shall file and serve its application and supporting affidavit;
  - b. September 14, 2022 – Symmetry shall file and serve its responding affidavit, if any;
  - c. September 28, 2022 – the Trustee shall complete all cross examination, if any, on Symmetry’s affidavit;
  - d. October 4, 2022 – Symmetry shall complete all cross examination, if any, on the Trustee’s affidavit;
  - e. October 7, 2022 – Symmetry shall file and serve any rebuttal affidavit arising from its cross examination on the Trustee’s affidavit;
  - f. October 12, 2022 – the Trustee shall complete all cross examination, if any, on Symmetry’s rebuttal affidavit;
  - g. October 17, 2022 – the Trustee shall file and serve its brief of argument (if any);
  - h. October 20, 2022 – Symmetry shall file and serve its brief of argument (if any); and
  - i. October 27, 2022 – Hearing of the Trustee’s Fraudulent Conveyance Application.
2. If either the Trustee or Symmetry fail to complete any of the foregoing steps in accordance with the litigation schedule prescribed under paragraph 1 above, such party shall be deemed to have waived their right to complete such step.

3. The Trustee is hereby awarded costs of this application payable by Symmetry in the amount of \$4,050 (being double column 5 of item 7(1) of Schedule C to the Alberta *Rules of Court*).



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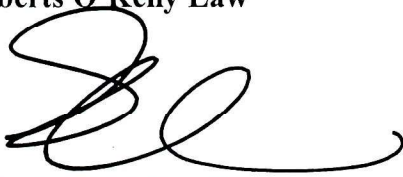
J.C.Q.B.A.

J.C.K.B.A.

SEPTEMBER 9, 2022.

**APPROVED AS TO FORM AND CONTENT:**

**Roberts O'Kelly Law**



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Sharon Roberts  
Counsel for Symmetry Asset Management Inc.