

COURT FILE NUMBER BK01 095206  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY



IN THE MATTER OF THE BANKRUPTCY  
OF NORTH AMERICAN STEEL ERECTORS  
INC.

DOCUMENT **ORDER**

ADDRESS FOR SERVICE Caron & Partners LLP  
AND Fifth Avenue Place – West Tower  
CONTACT INFORMATION 2120, 237 – 4 Avenue S.W.  
OF Calgary, AB T2P 0K3  
PARTY FILING THIS Phone: 403-770-4023  
DOCUMENT Fax: 403-237-0111  
Attention: Dean A. Hutchison  
Solicitors for MNP Ltd.

**DATE ON WHICH ORDER WAS PRONOUNCED:** Thursday, July 7, 2022

**LOCATION WHERE ORDER WAS PRONOUNCED:** Calgary, Alberta

**NAME OF JUDGE WHO MADE THIS ORDER:** The Honourable Madam Justice B.E.C.  
Romaine

### **ORDER**

**UPON THE APPLICATION** of Steeve Toupin filed May 30, 2022 (the “**Toupin Application**”) seeking relief under sections 37 and 28 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985 c. B-3; **AND UPON HAVING** read the Toupin Application, the Affidavit of Steeve Toupin sworn April 20, 2022, and the Trustee’s First Report dated July 6, 2022, all filed; **AND UPON HAVING** read *Polar Products Inc. v. Hongkong Bank of Canada*, 1992 CanLII 1321 (BC SC) and *Re Giambattista*, 2009 CanLII 2912 (ON SC) submitted by MNP Ltd. in its capacity as the trustee in bankruptcy (the “**Trustee**”) of North American Steel Erectors Inc.; **AND UPON HEARING** from counsel for the Trustee; **AND UPON NOTING** that counsel for Borden Ladner Gervias LLP and counsel for Trisura Guarantee Company were in attendance at the hearing of the Toupin Application; **AND UPON NOTING** that neither Steeve Toupin, nor any counsel for, or any representative of, Steeve Toupin was present at the hearing of the Toupin Application; **AND UPON BEING** satisfied that it is appropriate to do so;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

1. The Toupin Application is dismissed in its entirety.
2. The Trustee is hereby awarded costs on a solicitor and own client, full indemnity basis, in the amount of \$16,500.00 against Steeve Toupin, which costs are payable by Steeve Toupin forthwith.

A handwritten signature in black ink, appearing to be 'H. H.', written above a horizontal line.

Justice of the Court of Queen's Bench of Alberta