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for Clerk of the Court

COURT FILE NUMBER

1903-24389

COURT

COURT OF QUEEN'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

AND IN THE MATTER OF A PLAN OF
COMPROMISE OR ARRANGEMENT OF TLI CHO
LANDTRAN TRANSPORT LTD., 1456998
ALBERTA LTD., and 1456982 ALBERTA LTD.

APPLICANT

TLICHO INVESTMENT CORPORATION

RESPONDENTS

TLI CHO LANDTRAN TRANSPORT LTD.,
1456998 ALBERTA LTD., and 1456982 ALBERTA
LTD.

DOCUMENT

**DISTRIBUTION AND STAY EXTENSION
ORDER**

CONTACT INFORMATION OF
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DOCUMENT:

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File No. 261496

DATE ON WHICH ORDER WAS PRONOUNCED: February 28, 2020

LOCATION OF HEARING: Edmonton Law Courts

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Justice Mäh

UPON the application of Ṭḥcḥq Investment Corporation (the “Applicant”), AND UPON noting the relief sought in respect of the respondents, Ṭḥcḥq Landtran Transport Ltd., 1456998 Alberta Ltd., 1456982 Alberta Ltd. and Ventures West Transport LP (the “Transport Companies”); AND UPON reviewing the initial order of this Court dated November 29, 2019 (the “Initial Order”), the order of this Court dated December 6, 2019 (the “First Amending and Extension Order”), the order of this Court dated February 18, 2020 (the “Second Extension Order”), the Pre-Filing Report of the Proposed Monitor dated November 27, 2019 and the First Report of the Monitor dated December 4, 2019 (the “First Report”); AND UPON having read the Affidavit of Mark Brajer sworn February 24, 2020 (the “Brajer Affidavit”), filed; and the Affidavit of Service, filed; AND UPON hearing counsel for the Applicant, counsel for the Monitor, counsel for CIBC and such other counsel as were present; AND UPON having read the Third Report of the Monitor dated February 25, 2020 (the “Third Report”) and the Confidential Report of the Monitor dated February 26, 2020;

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this application and time for service of this application is abridged to that actually given.

DISTRIBUTIONS TO CIBC

2. Following the closing of the transaction contemplated by the Asset Purchase Agreement dated February 21, 2020 between the Transport Companies and ARS Trucking & Welding Ltd., the Monitor is hereby authorized and directed to pay from time to time to CIBC such distributions as are required to repay amounts owing by the Companies to CIBC under their secured credit facilities subject to such reasonable reserves as the Monitor deems necessary for the administration of these proceedings and sufficient reserves to satisfy the Lien Claims (as defined in the Third Report).

STAY EXTENSION


3. The Stay Period (as defined in the First Amending and Extension Order) shall be and is hereby extended to and including 11:59 p.m. on June 15, 2020, and all other terms of the First Amending and Extension Order shall remain in full force and effect, unamended, except as may be required to give effect to this paragraph.

SERVICE

4. Service of this Order shall be deemed good and sufficient by:
 - (a) Serving the same on:
 - (i) the persons listed on the service list created in these proceedings;
 - (ii) any other person served with notice of the application for this Order;
 - (iii) any other parties attending or represented at the application for this Order;
 - (iv) the Auctioneer or the Auctioneer's solicitors;
 - (v) the Purchaser or the Purchaser's solicitors; and
 - (b) Posting a copy of this Order on the Monitor's website at: <https://mnpdebt.ca/en/corporate/Engagements/ventures-west-transport-limited-partnership>

and service on any other person is hereby dispensed with.

5. 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