

NOTICE TO RECIPIENTS LISTED ON THE SERVICE LIST

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Where	Court House, 520 Spadina Crescent East Saskatoon, Saskatchewan
Date	Thursday, July 14, 2022
Time	10:00 am

Go to the end of this document to see what you can do and when you must do it.

Terms not otherwise defined in this Notice of Application shall have the meanings ascribed to them in the Order Winding Up Trust and Vesting Trust in Beneficiary of the Honourable Mr. Justice N.G. Gabrielson dated December 22, 2021 (the "**December Order**").

Remedy claimed or sought

1. An Order that The Hoeller Mortgage constitutes a valid and enforceable first-priority charge on the proceeds of the Pioneer Financing.
2. An Order that the fees and disbursements (the "**Professional Fees**") of the Proposal Trustee and Trustee's Counsel, W Law LLP, described in and attached to the Fifth Report of the Proposal Trustee and the Supplementary Report of the Proposal Trustee shall be approved.
3. An Order that Trustee's Counsel shall deal with the proceeds of the Pioneer Financing as follows:
 - a. first, the balance owing on the Hoeller Mortgage, upon the receipt by Trustee's Counsel from Ms. Hoeller or her counsel of a payout statement satisfactory to Trustee's Counsel, shall be paid forthwith from the proceeds of the Pioneer Financing in the amount indicated in such payout statement;
 - b. second, should the Professional Fees not be paid in full by Benjamin Runzer within seven days of the date of such Order, Trustee's Counsel shall forthwith pay the Professional Fees from the proceeds of the Pioneer Financing; and
 - c. third, the balance of the Pioneer Financing (if any) shall be held in trust by Trustee's Counsel until further Order of the Court.
4. An Order that the Trustee's Charge shall be maintained on title to the Property until further Order of this Court.

5. An Order pursuant to section 64.1 of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 and paragraph 2 of the December 13, 2021, Order, increasing the Administration Charge (as that term is defined in the December 13, 2021, Order) to \$275,000.00 and expanding the Administration Charge to include (in addition to the professional fees and disbursements of the Proposal Trustee and the professional fees and disbursements of legal counsel to the FireSong Group) the professional fees and disbursements of Trustee's Counsel, W Law LLP, both before and after the making of such Order.

Grounds for making this Application:

6. The December Order provides that the Proposal Trustee may apply to this Court on seven days' notice in relation to the December Order, and the Proposal Trustee is making this Application, among other things, to fulfil its obligations under the December Order.
7. The expertise and professional services of the Proposal Trustee, Trustee's Counsel and counsel to the FireSong Group are essential to these proceedings.

Material or evidence relied on:

8. This Notice of Application, with proof of service.
9. The Fifth Report of the Proposal Trustee.
10. The Supplementary Report of the Proposal Trustee.
11. A draft Order.
12. Such further and other materials as counsel may advise and this Honourable Court may allow.

Applicable rules:

13. None.

Applicable Acts and regulations:

14. The BIA.

DATED at Saskatoon, Saskatchewan, this 30th day of June, 2022.

W LAW LLP



Per: _____

Mike Russell

NOTICE

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant. If you intend to rely on an affidavit or other evidence when the originating application is heard or considered, you must serve a copy of the affidavit and other evidence on the originating applicant at least 10 days before the originating application is to be heard or considered.

CONTACT INFORMATION AND ADDRESS FOR SERVICE

Name of firm:	W Law LLP
Name of lawyer in charge of file:	Mike Russell
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