

Clerk's Stamp:

COURT FILE NUMBER

2203 04703

COURT OF KING'S BENCH OF
ALBERTA

JUDICIAL CENTRE

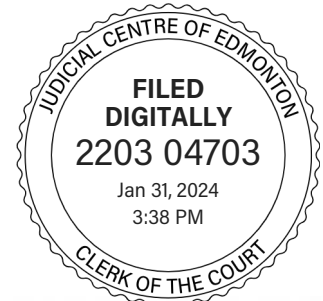
EDMONTON

PLAINTIFF

BANK OF MONTREAL

DEFENDANTS

**608772 ALBERTA LTD. o/a BIRCHWOOD AUTO
BODY, DARRELL PAYNE, VERA PAYNE,
BRETT PAYNE, and 1943969 ALBERTA LTD.**



DOCUMENT

ORDER

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF PARTY
FILING THIS DOCUMENT

Dean A. Hitesman/Kurtis P. Letwin
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2500 Stantec Tower
10220 – 103 Avenue
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Phone: (780) 423-7284/7169 Fax: (780) 423-7276
File No.: 528401-24

DATE ON WHICH ORDER WAS PRONOUNCED: January 26, 2024

LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice D. Mah

UPON THE APPLICATION of MNP Ltd. in its capacity as receiver of the property of 608772 Alberta Ltd, o/a Birchwood Auto Body, and 1943969 Alberta Ltd. (the "**Receiver**"); AND UPON READING the Receivership Order granted by the Honourable Justice S. Hillier in these proceedings on May 3, 2022; AND UPON READING the First Report of the Receiver, filed, (including the Confidential Appendices thereto) (the "**First Report**"), the Application filed herein, and proof of service thereof and the pleadings and proceedings had and taken herein; AND UPON HEARING from counsel for the Receiver and any other interest parties who may be present;

IT IS HEREBY ORDERED THAT:

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and 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.

2. The Confidential Appendices shall be sealed on the Court file until March 15, 2024, notwithstanding Division 4 of Part 6 of the *Alberta Rules of Court*.
3. The Receiver may apply for an extension of this date in the event the sale as between the Receiver and AAA Exchange Edmonton Ltd., operating as Suberserious Autoworks, does not close, or for such other commercially sensitive reason that requires the Confidential Appendices to remain sealed.
4. The Confidential Appendices shall be kept sealed and confidential, and shall not form part of the public record, and the Clerk of the Court is hereby directed to file the sealed Confidential Appendices separate and apart from all other contents of the Court file in a sealed envelope attached to a Notice that sets out the title of these proceedings and states:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED BY MNP LTD. AND THE CONFIDENTIAL MATERIALS ARE SEALED UNTIL MARCH 15, 2024, OR FURTHER ORDER, PURSUANT TO THE SEALING ORDER GRANTED BY THE HONOURABLE JUSTICE D. MAH ON JANUARY 26, 2024

5. 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 Purchaser or the Purchaser's solicitors; and
 - (b) Posting a copy of this Order on the Receiver's website at:
<https://www.bowragroup.com/client/608772-alberta-ltd/>
and service on any other person is hereby dispensed with.
6. Service of this Order may be effected by facsimile, electronic mail, personal delivery, or courier. Service of this Order is deemed to be effected the next business day following transmission or delivery of this Order.
7. The Receiver is at liberty to reapply for further advice, assistance and direction as may be necessary to give full force and effect to the terms of this Order.



Justice of the Court of Queen's Bench of Alberta