

COURT FILE NUMBER 2101-02279  
COURT COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY  
PLAINTIFF IN THE MATTER OF THE RECEIVERSHIP OF  
ALTER NRG CORP.  
IN THE MATTER OF SECTION 85 OF THE *CIVIL  
ENFORCEMENT ACT*, RSA 2000, c C-15  
-and-  
IN THE MATTER OF SECTION 13(2) OF THE  
*JUDICATURE ACT*, RSA 2000, c J-2  
APPLICANT MNP LTD.

Clerk's Stamp

DOCUMENT

**AFFIDAVIT OF SERVICE**

ADDRESS FOR SERVICE  
AND CONTACT  
INFORMATION OF  
PARTY FILING THIS  
DOCUMENT

MLT AIKINS LLP  
Barristers and Solicitors  
2100, 222 3<sup>rd</sup> Avenue S.W.  
Calgary, Alberta T2P 0B4  
Phone: 403.693.5420  
Fax: 403.508.4349  
Attention: Ryan Zahara  
File: 0153148.00002

**AFFIDAVIT OF JOY MUTUKU  
Sworn February 2, 2023**

I, Joy Mutuku, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY:

1. I am a Legal Assistant with the law firm of MLT Aikins LLP, counsel for the Applicant, MNP Ltd. in its capacity as the Court-appointed Receiver of Alter NRG Corp. ("**Alter NRG**"). Accordingly, I have personal knowledge of the facts and matters deposed to herein, unless those facts and matters are stated to be based upon my information and belief, and, in which case, I believe those facts and matters to be true.
2. Attached hereto and marked as **Exhibit "A"** is a copy of the Government of Alberta corporate search report for Alter NRG.

3. Attached hereto and marked as **Exhibit "B"** is a copy of the Government of Alberta Personal Property Registry search for Alter NRG.

#### **UNFILED APPLICATION MATERIALS**

4. On January 23, 2023, I caused to be served unfiled copies of the following application materials upon Alter NRG Corp., Sunshine Kaidi New Energy Co. Ltd., Harvest International New Energy Co. Ltd., Alex Gorodetsky, Bruce Leonard, Kenneth Willis, Richard Fish, Danny Hay, Refacture Inc. and SCREO Calgary Suburban Inc. (collectively, the "**Service List**") by email:
  - (a) Application for interim distribution and approval of the Receiver's activities and fees;
  - (b) First Report of the Receiver dated July 5, 2021;
  - (c) Second Report of the Receiver dated October 12, 2021;
  - (d) The Third Report of the Receiver dated January 23, 2023;
  - (e) Proposed form of Interim Distribution Order; and
  - (f) Proposed form of Sealing Order(collectively, the "**Unfiled Application Materials**").
5. Attached hereto and marked as **Exhibit "C"** is a copy of our email correspondence and service letter dated January 23, 2023, serving the Unfiled Application Materials upon the service list.
6. On January 23, 2023, I caused to be served the Unfiled Application Materials upon China Export Import Bank by email. Attached hereto and marked as **Exhibit "D"** is a copy of our email correspondence serving the Unfiled Application Materials upon China Export Import Bank.
7. Attached hereto and marked as **Exhibit "E"** to this Affidavit is a File Download Receipt evidencing service of the Unfiled Application Materials upon Alex Gorodetsky.
8. Attached hereto and marked as **Exhibit "F"** to this Affidavit are File Download Receipts evidencing service of the Unfiled Application Materials upon Kenneth Willis.

9. Attached hereto and marked as **Exhibit "G"** to this Affidavit is a File Download Receipt evidencing service of the Unfiled Application Materials upon Richard Fish.
10. Attached hereto and marked as **Exhibit "H"** to this Affidavit are File Download Receipts evidencing service of the Unfiled Application Materials upon Danny Hay.
11. Attached hereto and marked as **Exhibit "I"** to this Affidavit is a File Download Receipt evidencing service of the Unfiled Application Materials upon SCREO Calgary Suburban Inc.

### **PROOF OF FILING OF THE APPLICATION MATERIALS**

12. On January 24, 2023, I caused to be served filed copies of the following application materials upon the service list by email:
  - (a) Application for interim distribution and approval of the Receiver's activities and fees, filed January 23, 2023;
  - (b) Third Report of the Receiver, filed January 23, 2023; and
  - (c) WebEx Login Information(collectively, the "**Filed Application Materials**")
13. Attached hereto and marked as **Exhibit "J"** is a copy of our email correspondence and service letter dated January 24, 2023, serving the Filed Application Materials upon the service list by email.
14. On January 24, 2023, I caused to be served the Filed Application Materials upon China Export Import Bank by email. Attached hereto and marked as **Exhibit "K"** is a copy of our email correspondence serving the Filed Application Materials upon China Export Import Bank.
15. Attached hereto and marked as **Exhibit "L"** is a copy of our fax confirmation evidencing service of the Filed Application Materials upon Canada Revenue Agency (Prairie Region).

**NOTICE TO THE MEDIA**

- 16. On January 23, 2023, I submitted a notice to the media of applications for orders restricting public access or publication. Attached hereto and marked as **Exhibit "M"** is a copy of the successful submission.

SWORN BEFORE ME at the City of Calgary, )  
 in the Province of Alberta, this 2<sup>nd</sup> day of )  
 February, 2023 )



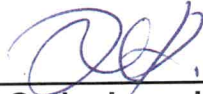
\_\_\_\_\_  
 A Commissioner for Oaths in and for the  
 Province of Alberta )



\_\_\_\_\_  
**JOY MUTUKU**

**NISHALJEET KAUR KHANGURA**  
 A Commissioner for Oaths  
 in and for the Province of Alberta.  
 My Commission expires Sept. 27, 2023

THIS IS EXHIBIT "A" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023



---

A Commissioner for Oaths in and for the Province of Alberta

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 2023

# Government of Alberta ■ Corporation/Non-Profit Search

## Corporate Registration System

Date of Search: 2023/01/27  
 Time of Search: 10:23 AM  
 Search provided by: MLT AIKINS LLP (CALGARY)  
 Service Request Number: 39046926  
 Customer Reference Number: 0021752.47

**Corporate Access Number:** 2120777301

**Business Number:**

**Legal Entity Name:** ALTER NRG CORP.

**Legal Entity Status:** Active  
**Extra-Provincial Type:** Other Prov/Territory Corps  
**Registration Date:** 2017/11/01 YYYY/MM/DD  
**Date Of Formation in Home Jurisdiction:** 2016/01/15 YYYY/MM/DD  
**Home Jurisdiction:** BRITISH COLUMBIA  
**Home Jurisdiction CAN:** BC1061686

### Head Office Address:

**Street:** SUITE 3400, 350 7TH AVENUE SW  
**City:** CALGARY  
**Province:** ALBERTA  
**Postal Code:** T2P3N9  
**Country:** CANADA  
**Email Address:** CORPSERV@FASKEN.COM

### Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
BARNES	CLARKE	D.	FASKEN MARTINEAU DUMOULIN LLP	3400, 350 - 7TH AVENUE SW	CALGARY	ALBERTA	T2P3N9	

### Holding Shares In:

Legal Entity Name
1485985 ALBERTA LTD.

**Other Information:**

**Filing History:**

<b>List Date (YYYY/MM/DD)</b>	<b>Type of Filing</b>
2017/11/01	Register Extra-Provincial Profit / Non-Profit Corporation
2021/03/28	Attorney for Service converted to Agent for Service

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.



THIS IS EXHIBIT "B" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023



---

A Commissioner for Oaths in and for the Province of Alberta

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 20<sup>23</sup>



Search ID #: Z15798615

**Transmitting Party**

MLT AIKINS LLP

2100 – 222 3rd AVE SW  
Calgary, AB T2P 0B4

Party Code: 60006660  
Phone #: 403 693 4331  
Reference #: 0021752.47

Search ID #: Z15798615

Date of Search: 2023-Jan-27

Time of Search: 10:24:34

**Business Debtor Search For:**

ALTER NRG CORP.

Exact Result(s) Only Found

**NOTE:**

A complete Search may result in a Report of Exact and Inexact Matches.  
Be sure to read the reports carefully.



Search ID #: Z15798615

**Business Debtor Search For:**

ALTER NRG CORP.

Search ID #: Z15798615

Date of Search: 2023-Jan-27

Time of Search: 10:24:34

---

Registration Number: 21042234853

Registration Date: 2021-Apr-22

Registration Type: SECURITY AGREEMENT

Registration Status: Current

Expiry Date: 2031-Apr-22 23:59:59

---

Exact Match on: Debtor No: 1

---

**Debtor(s)**

**Block**

**Status**

Current

1 ALTER NRG CORP.  
2900-550 BARRARD STREET  
VANCOUVER, BC V6C 0A3

---

**Secured Party / Parties**

**Block**

**Status**

Current

1 GARDINER ROBERTS LLP  
22 ADELAIDE STREET WEST, SUITE 3600  
TORONTO, ON M5H 4E3  
Email: cbesant@grllp.com

---

**Collateral: General**

**Block**

**Description**

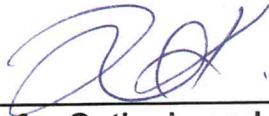
**Status**

Current

1 SECURITY OVER ALL CATEGORIES OF ASSETS WITHOUT LIMITATION

Result Complete

THIS IS EXHIBIT "C" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023



---

A Commissioner for Oaths in and for the Province of Alberta

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 20<sup>23</sup>

## Joy Mutuku

---

**From:** Joy Mutuku <jmutuku@mltaikins.com>  
**Sent:** January 23, 2023 2:06 PM  
**To:** vic.kroeger@mnp.ca; Seamus.Boyle@mnp.ca; Ryan Zahara; cbesant@grllp.com; agorodetsky@live.com; brucewleonard78@gmail.com; kenpwillis@telus.net; rfish@cecopower.com; maasen@mross.com; jflanagan@mross.com; dhay@fieldsafesolutions.com; david.mann@dentons.com; afshan.naveed@dentons.com; haddon.murray@gowlingwlg.com; tom.cumming@gowlingwlg.com; 2angelica.wilamowicz@gowlingwlg.com; erobert@brownleelaw.com  
**Subject:** In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action No. 2101-02279

---

 External Sender

---

Good  
afternoon,

We  
are counsel to MNP Ltd. in the above-noted Action.

Please  
find attached, for service upon you, our correspondence and Application materials  
that we intend to rely on at the hearing scheduled before the Honorable Madam Justice  
A.D. Grosse on February 2, 2023 at 10:00 a.m.

Thank  
you

**Files attached to this message**

Filename	Size	Checksum (SHA256)
Letter to Service List - Alter NRG Corp. (Dated January 23, 2023).PDF	965 KB	7e315cb81f55ad1355f8227730a0ea53670eb4c8b512891c07a48f4b424e15a7
Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf	335 KB	a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459
First Report of the Receiver - Alter NRG Corp (Filed July 5, 2021).PDF	1.4 MB	3a15b1109e2c99afb572b8ada4ffd84d3ee32f63b8130b05694088783a44602
Second Report of the Receiver - Alter NRG Corp. (Filed October 13, 2021).PDF	10.2 MB	138884162cf8adb85063b5a8d50be9b29ae34b09064e137fb858d0602bcd709b
Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF	46.8 MB	ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf	137 KB	5965ead0cc08109d4f4b7a6310c1e85b3812d3ef82a100a3be02c68a52b9c740
Proposed form of Order - Sealing Order - Alter NRG Corp..pdf	139 KB	fe3367bbbee6677a7a0c30efe9e88cec4c2b6d76a38227b18d0e0a33f0eeab510

Please click on the following link to download the attachments:  
<https://FILE.MLTAIKINS.COM/message/sg2k18Gi3TulcjdYzbQ4u3>

You will need to authenticate to view this Secure Message. If you don't have an account on FILE.MLTAIKINS.COM, you can still click on the download link and you will be prompted to validate your email.

This email or download link can not be forwarded to anyone else.

The attachments are available until: **Wednesday, 22 February.**

Message ID: sg2k18Gi3TulcjdYzbQ4u3

[Download Files](#)

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**Joy Mutuku**  
**Legal Assistant**  
 (403) 693-5403 | [jmutuku@mltaikins.com](mailto:jmutuku@mltaikins.com) | Calgary  
 Assistant to: R. Zahara and K. Gibson

MLT Aikins LLP  
2100 - 222 3rd Avenue SW  
Calgary, AB T2P 0B4  
T: (403) 693-4300  
F: (403) 508-4349

Ryan Zahara  
Partner

Direct Line: (403) 693-5420  
E-mail: rzahara@mltaikins.com

Joy Mutuku

Legal Assistant  
Direct Line: (403) 693-5403  
E-mail: jmutuku@mltaikins.com

**MLT AIKINS**

WESTERN CANADA'S LAW FIRM

January 23, 2023

**TO THE SERVICE LIST**

**Re: In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action  
No. 2101-02279 (the "Action")**

We are counsel to MNP Ltd., (the "**Receiver**") in its capacity as the Court-appointed Receiver of Alter NRG Corp. in the above-noted Action.

We write further to our application scheduled for hearing on February 2, 2023 at 10:00 a.m. before the Honourable Madam Justice A.D. Grosse for an application for interim distribution and approval of the Receiver's activities and fees.

Please find attached unfiled copies of the following Application Materials that we intend to rely on at the hearing:

1. Application for interim distribution and approval of the Receiver's activities and fees;
2. First Report of the Receiver dated July 5, 2021;
3. Second Report of the Receiver dated October 12, 2021;
4. The Third Report of the Receiver dated January 23, 2023;
5. Proposed form of Interim Distribution Order;
6. Proposed form of Sealing Order; and
7. WebEx Login Information

(collectively, the "**Application Materials**").

We have submitted the above-noted Application Materials for filing, save for the proposed forms of Orders and WebEx login information and we will provide filed copies upon receipt.

Yours truly,

**MLT AIKINS LLP**

Ryan Zahara

Encl.

31472533

COURT FILE NUMBER 2101-02279

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

MATTER IN THE MATTER OF THE RECEIVERSHIP OF  
ALTER NRG CORP.  
IN THE MATTER OF SECTION 85 OF THE *CIVIL  
ENFORCEMENT ACT*, RSA 2000, c C-15

-and-

APPLICANT IN THE MATTER OF SECTION 13(2) OF THE  
*JUDICATURE ACT*, RSA 2000, c J-2  
MNP LTD.

DOCUMENT **SERVICE LIST**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS DOCUMENT

**MLT AIKINS LLP**  
2100 Livingston Place  
222 - 3rd Avenue S.W.  
Calgary, AB T2P 0B4  
Solicitors: Ryan Zahara  
Telephone: 403.693.5420/4347  
Email: rzahara@mltaikins.com  
Fax Number: 403.508-4349  
File No.: 0021752.00047

Party	Role
<p><b>MNP LTD.</b> 1500, 640 – 5th Avenue SW Calgary, AB T2P 3G4</p> <p><b>Victor P. Kroeger</b> Email: vic.kroeger@mnp.ca</p> <p><b>Seamus Boyle</b> Email: Seamus.Boyle@mnp.ca</p>	<p><i>Counsel for MNP Ltd.</i></p> <p><b>MLT AIKINS LLP</b> 2100 Livingston Place 222 3 Ave SW Calgary, AB T2P 0B4</p> <p><b>Ryan Zahara</b> Email: rzahara@mltaikins.com</p>

<p><b>ALTER NRG CORP.</b></p> <p><b>SUNSHINE KAIDI NEW ENERGY GROUP LTD.</b></p> <p><b>HARVEST INTERNATIONAL NEW ENERGY CO. LTD.</b></p>	<p><i>Counsel for Alter NRG Corp., Sunshine Kaidi New Energy Co. Ltd., and Harvest International New Energy Co. Ltd.</i></p> <p><b>GARDINER ROBERTS LLP</b> 22 Adelaide Street West Suite 3600 Toronto, ON M5H 4E3</p> <p><b>Chris Besant</b> Email: cbesant@grllp.com</p>
<p><b>ALEX GORODETSKY</b> Email: agorodetsky@live.com</p> <p><b>BRUCE LEONARD</b> Email: brucewleonard78@gmail.com</p> <p><b>KENNETH WILLIS</b> Email: kenpwillis@telus.net</p> <p><b>RICHARD FISH</b> Email: rfish@cecopower.com</p>	<p><i>Counsel for Alex Gorodetsky, Bruce Leonard, Kenneth Willis, and Richard Fish</i></p> <p><b>MCLENNAN ROSS LLP</b> 1900-600 3 Ave SW Calgary, AB T2P 0G5</p> <p><b>Michael Aasen</b> Email: maasen@mross.com</p> <p><b>Jamie Flanagan</b> Email: jflanagan@mross.com</p>
<p><b>DANNY HAY</b> Email: dhay@fieldsafesolutions.com</p>	<p><i>Creditor</i></p>
<p><b>REFACTURE INC.</b></p>	<p><i>Counsel for Refacture Inc.</i></p> <p><b>DENTONS CANADA LLP</b> 850 – 2nd Street SW Calgary, Alberta T2P 0R8</p> <p><b>David W. Mann</b> Email: david.mann@dentons.com</p> <p><b>Afshan Naveed</b> Email: afshan.naveed@dentons.com</p>



**CHINA EXPORT IMPORT BANK**

*Counsel for China Export Import Bank*

**GOWLING WLG**

First Canadian place  
1600-100 King Street West  
Toronto, ON M5X 1G5

**Haddon Murray**

Email: [haddon.murray@gowlingwlg.com](mailto:haddon.murray@gowlingwlg.com)

**Tom Cumming**

Email: [tom.cumming@gowlingwlg.com](mailto:tom.cumming@gowlingwlg.com)

**Angelica Wilamowicz**

Email: [angelica.wilamowicz@gowlingwlg.com](mailto:angelica.wilamowicz@gowlingwlg.com)

**SCREO CALGARY SUBURBAN INC.**

**BrownLee LLP**

2200 Commerce Place  
10155 – 102 Street  
Edmonton, Alberta T5J 4G8

**Elizabeth J. Robert**

Email: [erobert@brownleelaw.com](mailto:erobert@brownleelaw.com)

**THIS IS EXHIBIT "D" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023**



---

**A Commissioner for Oaths in and for the Province of Alberta**

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 2023

## Joy Mutuku

---

**From:** Joy Mutuku  
**Sent:** January 24, 2023 2:54 PM  
**To:** angelica.wilamowicz@gowlingwlg.com  
**Subject:** In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action No. 2101-02279  
**Attachments:** Letter to Service List - Service of Filed Application Materials (Dated January 24, 2023).PDF; Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp. (Filed January 24, 2023).PDF; Third Report of Receiver - Alter NRG Corp. (Filed January 24, 2023).pdf; Webex Confirmation 2101 02279 - GORODETSKY, ALEKSANDR v ALTER NRG CORP - Feb 02, 2023 1000 AM - GROSSE, J - Confirmed.pdf

Good afternoon,

We write further to our email correspondence below dated January 23, 2023.

Please find attached, for service upon you, our correspondence and proof of filing of our Application materials in respect of the above-noted Action.

Thank you

**Joy Mutuku**  
**Legal Assistant**

**P:** (403) 693-5403 | **E:** jmutuku@mltaikins.com  
Assistant to: R. Zahara and K. Gibson

---

**From:** Joy Mutuku <jmutuku@mltaikins.com>  
**Sent:** January 24, 2023 2:51 PM  
**To:** vic.kroeger@mnp.ca; Seamus.Boyle@mnp.ca; Ryan Zahara <RZahara@mltaikins.com>; cbesant@grllp.com; agorodetsky@live.com; bruceleonard78@gmail.com; kenpwillis@telus.net; rfish@cecopower.com; maasen@mross.com; jflanagan@mross.com; dhay@fieldsafesolutions.com; david.mann@dentons.com; afshan.naveed@dentons.com; haddon.murray@gowlingwlg.com; tom.cumming@gowlingwlg.com; 2angelica.wilamowicz@gowlingwlg.com; erobert@brownleelaw.com  
**Subject:** RE: In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action No. 2101-02279

Good afternoon,

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**Joy Mutuku**  
**Legal Assistant**

**P:** (403) 693-5403 | **E:** jmutuku@mltaikins.com  
Assistant to: R. Zahara and K. Gibson

**MLT Aikins LLP**  
2100 Livingston Place

222 3rd Ave SW  
Calgary, AB T2P 0B4

# MLT AIKINS

*Our offices are located on the territories of Indigenous peoples, including the First Nations of Treaties 1, 4, 6 and 7, the Coast Salish peoples, as well as other non-Treaty First Nations and Métis. [We are committed to reconciliation.](#)*

**NOTICE:** This email including attachments is confidential and legally privileged. If you are not the intended recipient, any redistribution or copying of this message is prohibited. If you have received this email in error, please notify us immediately by return email and delete this email. If you no longer wish to receive commercial electronic messages from MLT Aikins LLP, email [casl@mltaikins.com](mailto:casl@mltaikins.com). We may still send messages for which we do not require consent.

**From:** Joy Mutuku <[jmutuku@mltaikins.com](mailto:jmutuku@mltaikins.com)>

**Sent:** January 23, 2023 2:06 PM

**To:** [vic.kroeger@mnp.ca](mailto:vic.kroeger@mnp.ca); [Seamus.Boyle@mnp.ca](mailto:Seamus.Boyle@mnp.ca); Ryan Zahara <[RZahara@mltaikins.com](mailto:RZahara@mltaikins.com)>; [cbesant@grllp.com](mailto:cbesant@grllp.com); [agorodetsky@live.com](mailto:agorodetsky@live.com); [brucewleonard78@gmail.com](mailto:brucewleonard78@gmail.com); [kenpwillis@telus.net](mailto:kenpwillis@telus.net); [rfish@cecopower.com](mailto:rfish@cecopower.com); [maasen@mross.com](mailto:maasen@mross.com); [jflanagan@mross.com](mailto:jflanagan@mross.com); [dhay@fieldsafesolutions.com](mailto:dhay@fieldsafesolutions.com); [david.mann@dentons.com](mailto:david.mann@dentons.com); [afshan.naveed@dentons.com](mailto:afshan.naveed@dentons.com); [haddon.murray@gowlingwlg.com](mailto:haddon.murray@gowlingwlg.com); [tom.cumming@gowlingwlg.com](mailto:tom.cumming@gowlingwlg.com); [2angelica.wilamowicz@gowlingwlg.com](mailto:2angelica.wilamowicz@gowlingwlg.com); [erobert@brownleelaw.com](mailto:erobert@brownleelaw.com)

**Subject:** In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action No. 2101-02279

---

 External Sender

---

Good  
afternoon,

We  
are counsel to MNP Ltd. in the above-noted Action.

Please  
find attached, for service upon you, our correspondence and Application materials  
that we intend to rely on at the hearing scheduled before the Honorable Madam Justice  
A.D. Grosse on February 2, 2023 at 10:00 a.m.

Thank  
you

**Files attached to this message**

Filename	Size	Checksum (SHA256)
Letter to Service List - Alter NRG Corp. (Dated January 23, 2023).PDF	965 KB	7e315cb81f55ad1355f8227730a0ea53670eb4c8b512891c07a48f4b424e15a7
Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf	335 KB	a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459
First Report of the Receiver - Alter NRG Corp (Filed July 5, 2021).PDF	1.4 MB	3a15b1109e2c99afb572b8ada4ffd84d3ee32f63b8130b05694088783a44602
Second Report of the Receiver - Alter NRG Corp. (Filed October 13, 2021).PDF	10.2 MB	138884162cf8adb85063b5a8d50be9b29ae34b09064e137fb858d0602bcd709b
Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF	46.8 MB	ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf	137 KB	5965ead0cc08109d4f4b7a6310c1e85b3812d3ef82a100a3be02c68a52b9c740
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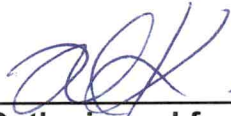
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**Legal Assistant**  
(403) 693-5403 | [jmutuku@mltaikins.com](mailto:jmutuku@mltaikins.com) | Calgary  
Assistant to: R. Zahara and K. Gibson

**THIS IS EXHIBIT "E" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023**



---

**A Commissioner for Oaths in and for the Province of Alberta**

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 2023

## Joy Mutuku

**From:** Joy Mutuku <jmutuku@mltaikins.com>  
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**To:** shyla.yee@mross.com  
**Subject:** In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action No. 2101-02279

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Hello Shyla,

Please find attached.

Thanks

### Files attached to this message

Filename	Size	Checksum (SHA256)
Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf	335 KB	a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459
First Report of the Receiver - Alter NRG Corp (Filed July 5, 2021).PDF	1.4 MB	3a15b1109e2c99afb572b8ada4ffd84d3ee32f63b8130b05694088783a44602
Second Report of the Receiver - Alter NRG Corp. (Filed October 13, 2021).PDF	10.2 MB	138884162cf8adb85063b5a8d50be9b29ae34b09064e137fb858d0602bcd709b
Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF	46.8 MB	ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf	137 KB	5965ead0cc08109d4f4b7a6310c1e85b3812d3ef82a100a3be02c68a52b9c740
Proposed form of Order - Sealing Order - Alter NRG Corp..pdf	139 KB	fe3367bbee6677a7a0c30efe9e88cec4c2b6d76a38227b18d0e0a33f0eeab510

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**Joy Mutuku**

**Legal Assistant**

(403) 693-5403 | [jmutuku@mltaikins.com](mailto:jmutuku@mltaikins.com) | Calgary

Assistant to: R. Zahara and K. Gibson



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Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf	137 KB	5965ead0cc08109d4f4b7a6310c1e85b3812d3ef82a100a3be02c68a52b9c740
Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF	46.8 MB	ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
Second Report of the Receiver - Alter NRG Corp. (Filed October 13, 2021).PDF	10.2 MB	138884162cf8adb85063b5a8d50be9b29ae34b09064e137fb858d0602bcd709b
First Report of the Receiver - Alter NRG Corp (Filed July 5, 2021).PDF	1.4 MB	3a15b1109e2c99afb572b8ada4ffd84d3ee32f63b8130b05694088783a44602
Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf	335 KB	a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459

THIS IS EXHIBIT "F" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023



---

A Commissioner for Oaths in and for the Province of Alberta

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 20<sup>23</sup>

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A Commissioner for Oaths in and for the Province of Alberta

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 20<sup>23</sup>

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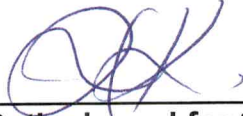
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Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf	137 KB	5965ead0cc08109d4f4b7a6310c1e85b3812d3ef82a100a3be02c68a52b9c740
Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF	46.8 MB	ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
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Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf	335 KB	a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459
Letter to Service List - Alter NRG Corp. (Dated January 23, 2023).PDF	965 KB	7e315cb81f55ad1355f8227730a0ea53670eb4c8b512891c07a48f4b424e15a7

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SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023



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A Commissioner for Oaths in and for the Province of Alberta

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 2023

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**A Commissioner for Oaths in and for the Province of Alberta**

**NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 20<sup>23</sup>**

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Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf	137 KB	5965ead0cc08109d4f4b7a6310c1e85b3812d3ef82a100a3be02c68a52b9c740
Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF	46.8 MB	ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
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First Report of the Receiver - Alter NRG Corp (Filed July 5, 2021).PDF	1.4 MB	3a15b1109e2c99afb572b8ada4fffd84d3ee32f63b8130b05694088783a44602
Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf	335 KB	a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459
Letter to Service List - Alter NRG Corp. (Dated January 23, 2023).PDF	965 KB	7e315cb81f55ad1355f8227730a0ea53670eb4c8b512891c07a48f4b424e15a7

**THIS IS EXHIBIT "J" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023**



---

**A Commissioner for Oaths in and for the Province of Alberta**

**NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 2023**

## Joy Mutuku

---

**From:** Joy Mutuku  
**Sent:** January 24, 2023 2:51 PM  
**To:** vic.kroeger@mnp.ca; Seamus.Boyle@mnp.ca; Ryan Zahara; cbesant@grllp.com; agorodetsky@live.com; brucewleonard78@gmail.com; kenpwillis@telus.net; rfish@cecopower.com; maasen@mross.com; jflanagan@mross.com; dhay@fieldsafesolutions.com; david.mann@dentons.com; afshan.naveed@dentons.com; haddon.murray@gowlingwlg.com; tom.cumming@gowlingwlg.com; 2angelica.wilamowicz@gowlingwlg.com; erobert@brownleelaw.com  
**Subject:** RE: In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action No. 2101-02279  
**Attachments:** Letter to Service List - Service of Filed Application Materials (Dated January 24, 2023).PDF; Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp. (Filed January 24, 2023).PDF; Third Report of Receiver - Alter NRG Corp. (Filed January 24, 2023).pdf; Webex Confirmation 2101 02279 - GORODETSKY, ALEKSANDR v ALTER NRG CORP - Feb 02, 2023 1000 AM - GROSSE, J - Confirmed.pdf

Good afternoon,

We write further to our email correspondence below dated January 23, 2023.

Please find attached, for service upon you, our correspondence and proof of filing of our Application materials in respect of the above-noted Action.

Thank you

**Joy Mutuku**  
**Legal Assistant**

**P:** (403) 693-5403 | **E:** jmutuku@mltaikins.com  
Assistant to: R. Zahara and K. Gibson

**MLT Aikins LLP**  
2100 Livingston Place  
222 3rd Ave SW  
Calgary, AB T2P 0B4

# MLT AIKINS

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**From:** Joy Mutuku <jmutuku@mltaikins.com>  
**Sent:** January 23, 2023 2:06 PM  
**To:** vic.kroeger@mnp.ca; Seamus.Boyle@mnp.ca; Ryan Zahara <RZahara@mltaikins.com>; cbesant@grllp.com; agorodetsky@live.com; brucewleonard78@gmail.com; kenpwillis@telus.net; rfish@cecopower.com; maasen@mross.com; jflanagan@mross.com; dhay@fieldsafesolutions.com; david.mann@dentons.com; afshan.naveed@dentons.com; haddon.murray@gowlingwlg.com; tom.cumming@gowlingwlg.com;



Good  
afternoon,

We  
are counsel to MNP Ltd. in the above-noted Action.

Please  
find attached, for service upon you, our correspondence and Application materials  
that we intend to rely on at the hearing scheduled before the Honorable Madam Justice  
A.D. Grosse on February 2, 2023 at 10:00 a.m.

Thank  
you

### Files attached to this message

Filename	Size	Checksum (SHA256)
Letter to Service List - Alter NRG Corp. (Dated January 23, 2023).PDF	965 KB	7e315cb81f55ad1355f8227730a0ea53670eb4c8b512891c07a48f4b424e15a7
Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf	335 KB	a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459
First Report of the Receiver - Alter NRG Corp (Filed July 5, 2021).PDF	1.4 MB	3a15b1109e2c99afb572b8ada4ffd84d3ee32f63b8130b05694088783a44602
Second Report of the Receiver - Alter NRG Corp.	10.2 MB	138884162cf8adb85063b5a8d50be9b29ae34b09064e137fb858d0602bcd709b

Filename	Size	Checksum (SHA256)
(Filed October 13, 2021).PDF		
Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF	46.8 MB	ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf	137 KB	5965ead0cc08109d4f4b7a6310c1e85b3812d3ef82a100a3be02c68a52b9c740
Proposed form of Order - Sealing Order - Alter NRG Corp..pdf	139 KB	fe3367bbec6677a7a0c30efe9e88cec4c2b6d76a38227b18d0e0a33f0eeab510

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The attachments are available until: **Wednesday, 22 February.**

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**Joy Mutuku**  
**Legal Assistant**  
 (403) 693-5403 | jmutuku@mltaikins.com | Calgary  
 Assistant to: R. Zahara and K. Gibson

**THIS IS EXHIBIT "K" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023**



---

**A Commissioner for Oaths in and for the Province of Alberta**

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 20<sup>23</sup>



## Joy Mutuku

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**Sent:** January 24, 2023 8:23 AM  
**To:** Joy Mutuku  
**Subject:** File Download Receipt [ID: sg2k18Gi3TulcjdyZbQ4u3] In the matter of the Receivership of Alter NRG Corp.; Court of King's Bench Action No. 2101-02279

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- Filename: Application re Interim Distribution and Approval of the Receiver's Activities - Alter NRG Corp..pdf
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- Checksum (SHA1): a47c54e5105de2f4a62f99a5f616019987a2a7814d7f78b0701961128926a459
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- Recipient: cbesant@grllp.com
- Filename: Second Report of the Receiver - Alter NRG Corp. (Filed October 13, 2021).PDF
- File Size: 10.2 MB
- Checksum (SHA1): 138884162cf8adb85063b5a8d50be9b29ae34b09064e137fb858d0602bcd709b
- Time of download: Tuesday, 24 January 09:24:39

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- Recipient: cbesant@grllp.com
- Filename: Third Report of Receiver - Alter NRG Corp. (Dated January 23, 2023).PDF
- File Size: 46.8 MB
- Checksum (SHA1): ecb28aff5ca0036fe50efede42ef11a1374c498dc60e0fe2d98320f517dcce79
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- Filename: Proposed form of Order - Interim Distribution Order - Alter NRG Corp..pdf
- File Size: 137 KB
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- Recipient: cbesant@grllp.com
- Filename: Proposed form of Order - Sealing Order - Alter NRG Corp..pdf
- File Size: 139 KB
- Checksum (SHA1): fe3367bb6677a7a0c30efe9e88cec4c2b6d76a38227b18d0e0a33f0eeab510
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**THIS IS EXHIBIT "L" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023**



---

**A Commissioner for Oaths in and for the Province of Alberta**

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 2023



# Joy Mutuku

**From:** David Pinkerton  
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**To:** Joy Mutuku  
**Subject:** Proof of Delivery

Proof of delivery to CRA.

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Call In	01-31 10:59AM	To	3
Due by	01-31 11:18AM	To Address	4
Delivered	01-31 11:11AM	Pieces	5
Service Minutes	15	Weight	6
Proof of Delivery	Ambrosio	Service Type	7
Signature	<b>Trip Delivered</b>	Instructions	8
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01-31 10:59





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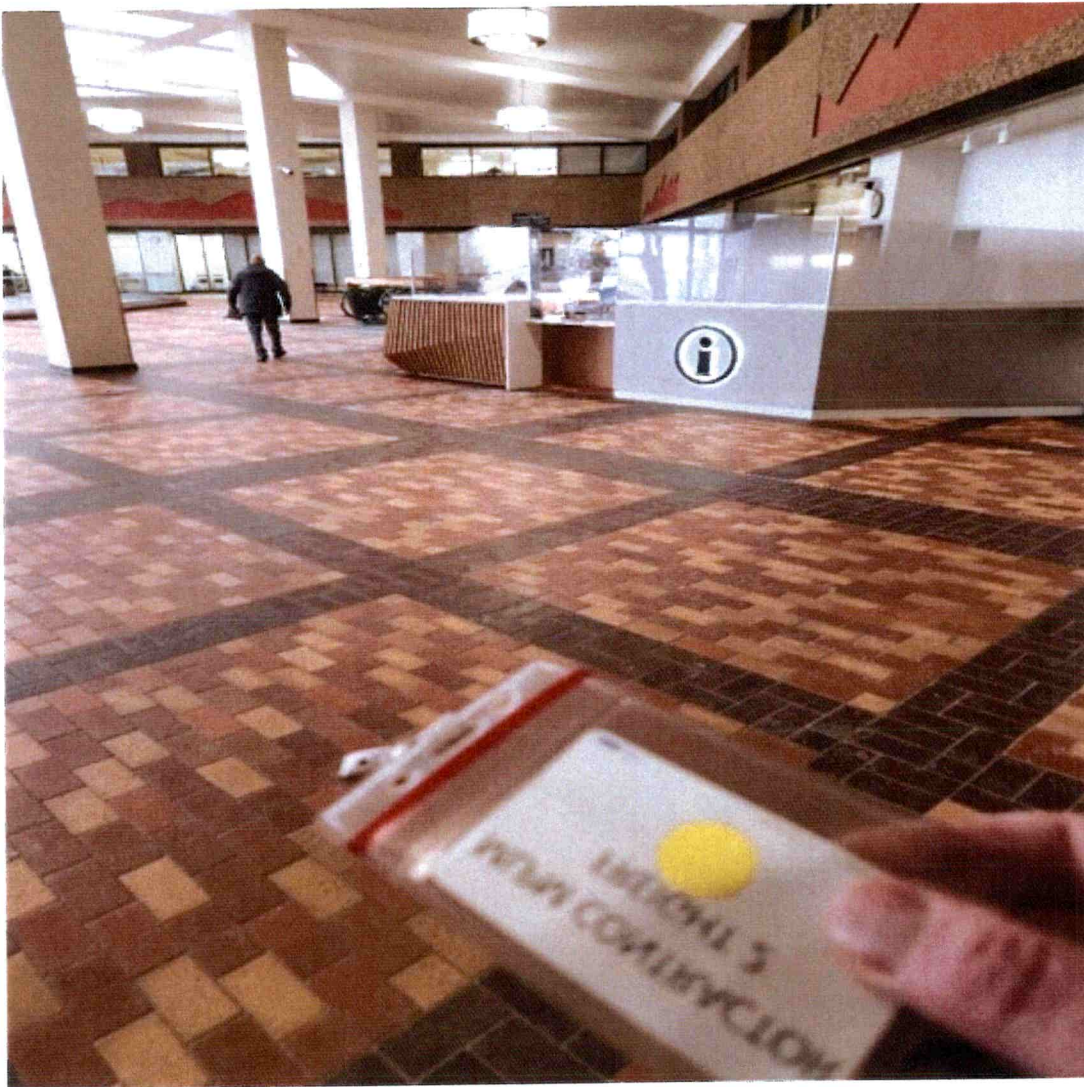
Canada Revenue  
Agency

Agence du revenu  
du Canada

Deliveries / Couriers  
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Livraisons / Messagers  
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**David Pinkerton**  
**Office Services and Facilities Coordinator**  
(403) 693-5447 | [dpinkerton@mltaikins.com](mailto:dpinkerton@mltaikins.com) | Calgary

THIS IS EXHIBIT "M" TO THE  
AFFIDAVIT OF JOY MUTUKU  
SWORN BEFORE ME AT CALGARY, ALBERTA  
This 2<sup>nd</sup> February, 2023



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**A Commissioner for Oaths in and for the Province of Alberta**

NISHALJEET KAUR KHANGURA  
A Commissioner for Oaths  
in and for the Province of Alberta.  
My Commission expires Sept. 27, 2023



# NOTICE TO MEDIA OF APPLICATION TO RESTRICT ACCESS

Complete this form to provide notice of your application to the media. Notice to media is required for all applications for a discretionary publication ban or access restriction. The subject of your application is protected by a publication ban, pending the Court’s hearing of the application.

- For civil and family matters, notice must be submitted 5 days before the hearing.
- For criminal matters, notice must be submitted 7 days before the hearing.

You will receive a copy of the notice within 24 hrs of submission as distribution is not automatic.

**Only press the SUBMIT button once.**

As proof that you have given the required notice, you are required to present a print copy of the e-mail to the Clerk.

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## DETAILS OF HEARING

**Court File Number**

2101-02279

**Plaintiff Name(s)**

MNP Ltd.

**Name (s) of Accused(s), Defendant(s), Respondent(s)**

IN THE MATTER OF THE RECEIVERSHIP OF ALTA CORP.

COURT OF KING'S BENCH OF ALBERTA



**Court Location**

Calgary  **Court Date and Time**02-Feb-2023 10:00 AM **DETAILS OF APPLICATION****Applicant Type**Other **Applicant's Name**

MNP Ltd.

**Applicant's Lawyer**

MLT Aikins LLP

**Email Address**

jmutuku@mltaikins.com

**Details of restriction applied for**

Certain materials and reports in the matter are confidential and subject to a sealing Order. The Confidential Supplement to the Third Report contains confidential information with respect to Purchase Agreements, proposed purchase price for other orders made for the debtors property by other interested purchasers. The Confidential materials thus contain commercially sensitive information and documentation. There will be a negative impact and significant potential prejudice to stakeholders in the event such confidential information and documentation were disclosed to the public and the transaction contemplated by the Purchase Agreement were to not close and the sales process regarding the sale of the Respondent's property were resumed.

**COURT OF KING'S  
BENCH OF ALBERTA**

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