

August 7, 2024

Notice to Creditors

Re: DMD III Mortgage Investment Corporation (“the Company”).

As you are likely aware, MNP Ltd. was appointed receiver of the Company on April 4, 2017.

Pursuant to an Order granted by the Court of Queen’s Bench of Alberta on July 24, 2024 (the “Claims Process Order”), a claim process was approved that directed the Receiver to solicit claims from all creditors of the Company for the purpose of determining the claims that will participate in and be eligible to share in any distribution(s) made in the receivership proceedings (the “Claims Process”). A copy of the Claims Process Order is available on the Receiver’s website at: <https://mnpdebt.ca/en/corporate/corporate-engagements/dmd-iii-mortgage-investment-corporation>

Attached are the following documents with respect to your claim in the Claims Process:

1. A notice to creditors regarding the Claims Process; and
2. A general proof of claim form, including instructions.

All claims must be sent by courier or regular mail to MNP Ltd., 2000, 112 – 4th Avenue SW, Calgary, AB T2P 0H3 or via email at temitope.muraina@mnp.ca to the attention of Temi Muraina on or before 4:00 p.m. Mountain Time on Tuesday September 17, 2024 (the “Claims Bar Date”). Creditors who do not submit a claim to the Receiver by the specified time on the Claims Bar Date, or such later date as the Court may order, shall:

1. Not be entitled to receive any further notice of the receivership proceedings;
2. Not be entitled to receive any distribution in the receivership proceedings; and
3. Be forever barred from making or enforcing any claim against the Company.

Should you have any questions, please contact the undersigned at 403-537-8424.

Yours truly,

MNP LTD. in its capacity as receiver of DMD III
Mortgage Investment Corporation, and not in its
personal capacity



Rick Anderson, CIRP, LIT, CPA, CMA, CFE
Vice President

COURT FILE NO. 1701 – 04209

Clerk's Stamp

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF AXCESS CAPITAL ADVISORS INC.

RESPONDENT DMD MORTGAGE INVESTMENT CORPORATION, DMD II MORTGAGE INVESTMENT CORPORATION and DMD III MORTGAGE INVESTMENT CORPORATION.

DOCUMENT NOTICE OF CLAIMS PROCESS IN THE MATTER OF THE RECEIVERSHIP OF DMD III MORTGAGE INVESTMENT CORPORATION

1. As you are likely aware, MNP Ltd. acts as the Receiver of DMD III Mortgage Investment Corporation (“**DMD III**” or the “**Company**”) pursuant to a consent receivership order granted on April 4, 2017 (the “**Date of Receivership**”).
2. Pursuant to a further Order granted by the Court on July 24, 2024 (the “**Claims Process Order**”), a claims process was approved that directed the Receiver to solicit claims from all creditors of the Company for the purpose of determining the claims that will be eligible to share in any distribution(s) made in the Receivership proceedings. A copy of the Claims Process Order is available on the Receiver's website at <https://mnpdebt.ca/en/corporate/corporate-engagements/dmdiii> (the “**Receiver's Website**”).
3. Any creditor having a claim against DMD III at the Date of Receivership of any nature whatsoever, including an unsecured, secured, contingent or unliquidated claim (a “**Claim**”) is required to file, in the manner set out in this Notice of Claims Process (the “**Claims Notice**”), a proof of claim in the prescribed form (which has been provided to you with the Claims Notice) with the Receiver in order to participate in any distribution in the Receivership proceedings.
4. Additional copies of the prescribed proof of claim form can be obtained by contacting the Receiver via telephone at 403-537-8393 or via email at temitope.muraina@mnp.ca or it can be downloaded from the Receiver's Website.
5. Any creditor who chooses to file a proof of claim is required to provide whatever documentation they may have to support their Claim, such as contracts, invoices, bills of lading and shipping receipts, in

relation to the goods and/or services provided to the Company in the appropriate currency under which their Claim arose.

6. All proof of claim forms, together with the supporting documentation must be delivered by mail or courier service to MNP Ltd., 2000, 112 – 4th Avenue SW, Calgary, AB T2P 0H3 or via email at temitope.muraina@mnt.ca to the attention of Temi Muraina on or before 4:00 p.m. Mountain Time on Tuesday September 17, 2024 (the “**Claims Bar Date**”).
7. Creditors who do not submit a Claim to the Receiver by the specified time on the Claims Bar Date, or such later date as the Court may order, shall not be entitled to receive any further notice of the Receivership proceedings, not be entitled to receive any distribution in the Receivership proceedings and be forever barred from making or enforcing any Claim against DMD III related to the period prior to the Date of Receivership.
8. The Receiver will provide any Notice of Revision or Disallowance (the “**Disallowance Notice**”) to creditors in writing by registered mail, courier, or email on or before October 1, 2024.
9. Where a creditor objects to a Disallowance Notice, the creditor must notify the Receiver of its objection in writing (the “**Dispute Notice**”) by registered mail, courier service or email within 10 days from the date of the Disallowance Notice.
10. A creditor who does not file a Dispute Notice to a Disallowance Notice issued by the Receiver shall, unless otherwise ordered by the Court, be conclusively deemed to have accepted the assessment of its Claim as set out in the Disallowance Notice.

Dated August 7, 2024

MNP Ltd., in its capacity as Receiver of DMD III Mortgage Investment Corporation and not in its personal or corporate capacity

Per:



Rick Anderson, CIRP, LIT, CPA, CMA, CFE
Vice President

District of: Alberta
Division No. 02 - Calgary
Court No. 25-094766
Estate No. 25-094766

FORM 31
Proof of Claim
(Sections 50.1, 81.5, 81.6, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 102(2), 124(2), 128(1),
and Paragraphs 51(1)(e) and 66.14(b) of the Act)

All notices or correspondence regarding this claim must be forwarded to the following address:

In the matter of the receivership of DMD III Mortgage Investment Corporation of the _____ of _____ in and the claim of _____, creditor.

I, _____ (name of creditor or representative of the creditor), of the city of _____ in the province of _____, do hereby certify:

1. That I am a creditor of the above named debtor (or I am _____ (position/title) of _____, creditor).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That the debtor was, at the date of receivership, namely the 4th day of April 2017, and still is, indebted to the creditor in the sum of \$ _____, as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.)

4. (Check and complete appropriate category.)

A. UNSECURED CLAIM OF \$ _____
(other than as a customer contemplated by Section 262 of the Act)

That in respect of this debt, I do not hold any assets of the debtor as security and
(Check appropriate description.)

Regarding the amount of \$ _____, I claim a right to a priority under section 136 of the Act.

Regarding the amount of \$ _____, I do not claim a right to a priority.
(Set out on an attached sheet details to support priority claim.)

B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$ _____

That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows:
(Give full particulars of the claim, including the calculations upon which the claim is based.)

C. SECURED CLAIM OF \$ _____

That in respect of this debt, I hold assets of the debtor valued at \$ _____ as security, particulars of which are as follows:
(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the security documents.)

D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$ _____

That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of \$ _____
(Attach a copy of sales agreement and delivery receipts.)

District of Alberta
Division No. 02 - Calgary
Court No. 25-094766
Estate No. 25-094766

FORM 31 --- Concluded

- E. CLAIM BY WAGE EARNER OF \$ _____
- That I hereby make a claim under subsection 81.3(8) of the Act in the amount of \$ _____,
- That I hereby make a claim under subsection 81.4(8) of the Act in the amount of \$ _____,
- F. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF \$ _____
- That I hereby make a claim under subsection 81.5 of the Act in the amount of \$ _____,
- That I hereby make a claim under subsection 81.6 of the Act in the amount of \$ _____,
- G. CLAIM AGAINST DIRECTOR \$ _____

(To be completed when a proposal provides for the compromise of claims against directors.)

That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:
(Give full particulars of the claim, including the calculations upon which the claim is based.)

- H. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$ _____

That I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, particulars of which are as follows:
(Give full particulars of the claim, including the calculations upon which the claim is based.)

5. That, to the best of my knowledge, I _____ (am/am not) (or the above-named creditor _____ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and _____ (have/has/have not/has not) dealt with the debtor in a non-arm's-length manner.

6. That the following are the payments that I have received from, and the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act or were not dealing with each other at arm's length, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act: (Provide details of payments, credits and transfers at undervalue.)

7. (Applicable only in the case of the bankruptcy of an individual.)

- Whenever the trustee reviews the financial situation of a bankrupt to redetermine whether or not the bankrupt is required to make payments under section 68 of the Act, I request to be informed, pursuant to paragraph 68(4) of the Act, of the new fixed amount or of the fact that there is no longer surplus income.
- I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address.

Dated at _____, this _____ day of _____, _____.

Witness

Creditor

Phone Number: _____
Fax Number : _____
E-mail Address : _____

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

WARNINGS: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

CHECKLIST FOR PROOFS OF CLAIM

This checklist is provided to assist you in preparing the accompanying proof of claim form and, where required, proxy form in a complete and accurate manner. Please specifically check each requirement.

PROOF OF CLAIM

- ▶ The signature of a witness is required;
- ▶ The claim must be signed personally by the individuals;
- ▶ If the creditor is a corporation, the full and complete legal name of the company or firm must be stated;
- ▶ Give the complete address, including postal code, where all notices or correspondence is to be forwarded, the name of the person to contact, the phone number and fax number.

PARAGRAPH 1

- ▶ Please state your name, city of residence, and if you are completing the declaration for a corporation or another person, your position or title.

PARAGRAPH 3

- ▶ State the date of bankruptcy, proposal of receivership and the amount of your claim;
- ▶ A detailed statement of account must be attached and must show the date, number and amount of all the invoices, charged credits or payments;
- ▶ A statement of account is not complete if it begins with an amount brought forward;
- ▶ The amount of the statement of account must agree with the amount claimed on the proof of claim.

PARAGRAPH 4

- ▶ An ordinary creditor must check subparagraph A. A preferred creditor must set out on an attached schedule the particulars of your priority;
- ▶ A secured creditor must check subparagraph C. You must insert the value at which you assess each of your securities and provide a certified true copy of the security documents as registered.

PARAGRAPH 5

Strike out “are” or “are not” as applicable to you. You would be considered a related person if:

- ▶ You are related to blood or marriage to the debtor;
- ▶ If the debtor is a corporation and you were a shareholder or if your company was controlled by the same shareholders as the debtor corporation.

PARAGRAPH 6

All creditors must attach a detailed list of all payments or credits received or granted, as follows:

- ▶ Within the 3 months preceding the bankruptcy or proposal, if the creditor and the debtor are not related;
- ▶ Within 12 months preceding the bankruptcy or proposal, if the creditor and debtor are related.

In the case of an individual’s bankruptcy only, you may request some or all of the items stated after paragraph 6.