

COURT FILE NO. 1701-04209
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY



IN THE MATTER OF THE RECEIVERSHIP
OF DMD III MORTGAGE INVESTMENT
CORPORATION

PLAINTIFF AXCESS CAPITAL ADVISORS INC.
DEFENDANTS DMD MORTGAGE INVESTMENT
CORPORATION, DMD II MORTGAGE
INVESTMENT CORPORATION and DMD III
MORTGAGE INVESTMENT CORPORATION

APPLICANT MNP LTD. in its capacity as Court-appointed
Receiver and Manager of the assets, undertakings
and properties of DMD III MORTGAGE
INVESTMENT CORPORATION

DOCUMENT **RESTRICTED COURT ACCESS ORDER**

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT
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File No. 34004-2004

DATE UPON WHICH ORDER WAS PRONOUNCED: Tuesday, August 22, 2017
NAME OF JUSTICE WHO MADE THIS ORDER: Mr. Justice C.M. Jones
LOCATION OF HEARING: Calgary, Alberta

I hereby certify this to be a true copy of
the original Order

Dated this 22 day of August, 2017
Russa Kaur
for Clerk of the Court

UPON THE APPLICATION by MNP Ltd., in its capacity as Court-appointed receiver and manager (the “**Receiver**”) of the assets, undertakings and properties of DMD III Mortgage Investment Corporation (“**DMD III**”) for a Restricted Court Access Order; **AND UPON HAVING READ** the Application, First Report of the Receiver filed August 15, 2017 (the “**First Report**”), the First Confidential Report of the Receiver dated August 15, 2017 (the “**First Confidential Report**”), and any other material and evidence filed to date in the within proceedings; **AND UPON HEARING** the submissions of counsel for the Receiver, and from any other interested parties who may be present, with no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Service; **AND UPON IT APPEARING** that all interested and affected parties have been served with notice of this Application;

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

1. The time for service of the Application materials in support of the Application for the restricted court access order in this matter (this “**Order**”) is hereby dispensed with, and specifically, the service, notice and formal requirements of Part 6, Division 4 of the *Alberta Rules of Court*, Alta Reg 124/2010 shall not apply to this Order and are hereby dispensed with.
2. The Receiver’s First Confidential Report shall be treated as confidential, sealed and not form part of the public record, and shall be inserted in a sealed envelope which shall be clearly marked “THIS ENVELOPE CONTAINS THE FIRST CONFIDENTIAL REPORT OF MNP LTD., IN ITS CAPACITY AS COURT-APPOINTED RECEIVER AND MANAGER OF THE ASSETS, UNDERTAKINGS AND PROPERTIES OF DMD III MORTGAGE INVESTMENT CORPORATION, WHICH IS SEALED PURSUANT TO COURT ORDER, IS NOT TO BE OPENED, AND IS NOT TO FORM PART OF THE PUBLIC RECORD OR MADE PUBLICALLY ACCESSIBLE WITHOUT PRIOR AUTHORITY FROM THE HONOURABLE MR. JUSTICE C.M. JONES OR ANY OTHER JUSTICE OF THE COURT OF QUEEN’S BENCH”.
3. The Receiver’s First Confidential Report shall be filed with the Court within 90 days following the closing of the pending sale to the Purchaser (as that term is described and defined in the First Report).

4. 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.

"C. Jones"

Justice of the Alberta Court of Queen's Bench