

COURT FILE NUMBER KBG-RG-909-2023
COURT OF KING'S BENCH FOR SASKATCHEWAN
IN BANKRUPTCY AND INSOLVENCY
JUDICIAL CENTRE REGINA
APPLICANT AFFINITY CREDIT UNION 2013
RESPONDENT F & L CONCRETE SERVICES LTD.

CIVIL CHAMBERS APPEARANCE MEMO
for Chambers on December 13, 2023

1. Participants:

- a. This Memo is filed on behalf of: **MNP Ltd. – The Trustee – M. Kim Anderson K.C.** to appear by WebEx
- b. The other party/parties and counsel are:
 - i. **Affinity Credit Union 2013– Ryan Pederson**
 - ii. **Canada Revenue Agency – David Smith**
 - iii. **Dailmer Capital – Conrad Hadubiak K.C.**
 - iv. **F&L Concrete Services Ltd. – Nick Brown**

2. MNP Ltd., the applicant, applies for the relief set forth in the notice of application dated August 17, 2023.

3. A description of the position that will be advanced on the hearing date respecting readiness to proceed is: The Applicant is ready to proceed.

4. A concise summary of the legal aspects of the substantive position of the party filing this Memo is as follows: The Applicant seeks an approval of its actions to date, as well as approval of its First, Second, Supplemental and Third Reports.

There is also an application seeking leave to commence action against the Receiver, which MNP Ltd. is opposed to.

5. The following relief is consented to/unopposed:

- (1) It is expected that Affinity Credit Union 2013 is in support of the positions advanced by MNP Ltd. and F&L Concrete Services Ltd. is opposed. It is further expected that no one else will take a position on this application.

6. Materials filed and served:

- a. To be completed by the applicant: the applicant has served and filed the following affidavits/other material being relied upon in support of the relief sought:

Describe Document	Date Served	Date Filed
Notice of Application	August 17, 2023	August 17, 2023
First Report of the Receiver dated August 15, 2023	August 16, 2023	August 16, 2023
Supplemental Report of the Receiver	August 30, 2023	August 30, 2023
Second Report of the Receiver	September 28, 2023	September 28, 2023
Third Report of the Receiver	October 13, 2023	October 13, 2023
Brief of Law dated August 30, 2023	August 30, 2023	August 30, 2023
Supplemental Brief of Law dated Septemebr 13, 2023	Septemebr 13, 2023	Septemebr 13, 2023
Second Supplemental Brief of Law dated Dec 11, 2023	December 11, 2023	December 11, 2023

- b. To be completed by the respondent/third party: the respondent/third party has served and filed the following affidavits/other material being relied upon in support of the relief sought:

Describe Document	Date Served	Date Filed

7. Other proceedings and applications:

- a. The following is a summary of other applications and matters pending in this action:

- i. Other applications pending:

☒ none

☐ reserved on _____ by Justice _____

- ii. Pre-trial: ☒ Not scheduled ☐ Scheduled for: _____

- iii. Trial: ☒ Not scheduled ☐ Scheduled for: _____

- b. The following is a summary of any other relevant or related proceedings:
None.

8. This is the:

X first Memo filed respecting this application.

DATED at the City of Saskatoon, in the Province of Saskatchewan, this 11th day of December, 2023.

ROBERTSON STROMBERG LLP

Per: 
Travis K. Kusch, Solicitor for the Applicant

CONTACT INFO AND ADDRESS FOR SERVICE

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