

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.

IN THE MATTER OF THE RECEIVERSHIP OF F & L CONCRETE SERVICES LTD.

Before the Honourable Mr. Justice P.T. Bergbusch in Chambers, the 1st day of September, 2023.

Upon the application of the MNP Ltd. (the “**Receiver**”) in respect of F & L Concrete Services Ltd. (the “**Debtor**”); and upon having read the Notice of Application, First Report of the Receiver, the Supplemental Report of the Receiver and Draft Order and having heard from the parties.

The Court Orders that:

Directions

1. The Debtor, as well as its directors, officers, shareholders, employees, controllers and any non-arm’s length third parties (collectively with the Debtor the “**Debtor Parties**”), shall forthwith, in all aspects, comply with the Order of the Honourable Justice P.T. Bergbusch dated August 3, 2023 (the “**Initial Order**”) including, but not limited to, as follows:
 - a. Providing the Receiver with the location of, status of and access to all of the Debtor’s Property, as defined in the Initial Order;
 - b. Providing to the Receiver details of any property disposed of by the Debtor in the preceding twelve months including, but not limited to, bills of sale and details of where the proceeds were paid;
 - c. Allowing the Receiver to manage and carry on the business of the Debtor as is deemed necessary by the Receiver in its sole discretion;
 - d. To the extent possible, cooperating with the Receiver in all respects including, but not limited to, the production of all financial information of the Debtor to the Receiver including:
 - i. Copies of contracts entered into by the Debtor;
 - ii. Copies of work orders of the Debtor;

- iii. Copies of the estimated revenue and expenses of the Debtor; and
 - iv. Copies of historical and projected cash flow statements of the Debtor; and
 - e. Providing the Receiver with up-to-date account statements and balances with respect to all Federal and Provincial Crown remittances.
2. In accordance with the terms of the preceding paragraph, the Debtor Parties shall disclose the location of and deliver to the Receiver all of the Debtor's assets and equipment including, but not limited to, the assets and equipment outlined in Schedule "A" hereto.
 3. To the extent necessary, the Receiver, its agents, employees and bailiffs shall be permitted to attend on and enter any real property owned, leased or controlled by the Debtor Parties for the purposes of locating, inspecting, seizing and controlling any of the assets or equipment of the Debtor including, but not limited to, at the residence of Christopher Fichter, being the NW 14-3-8 W2.
 4. If, in the Receiver's sole discretion, the information referred to in paragraphs 1 to 3 herein, as well as any other information that ought to be supplied in accordance with the Initial Order, is not provided to the satisfaction of the Receiver with 48 hours of the date of this Order, that Kurt Schmidt and Chris Fichter shall, upon 48 hours notice, attend an examination under oath, at a time to be fixed by the Receiver, to be examined on the location, status and whereabouts of the Debtor's assets, equipment and financials.
 5. Subject to the Receiver confirming to the Court that this Order has been complied with to the satisfaction of the Receiver, this matter shall be returned before the Honorable Mr. Justice Bergbusch at _____.

Activities and Disbursements of the Receiver

6. The First Report and Supplemental Report shall be and is hereby approved.
7. The Receiver's actions, conduct and activities from August 3, 2023 through to and including August 29, 2023 shall be and are hereby approved.

ISSUED at the City of Regina, in the Province of Saskatchewan, this _____ day of September, 2023.

DEPUTY LOCAL REGISTRAR

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SCHEDULE "A"

Asset List