

COURT FILE NUMBER KBG-SA-00149-2023

COURT OF KING'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE SASKATOON

IN THE MATTER OF THE INTERIM RECEIVERSHIP OF THE LIGHTHOUSE SUPPORTED LIVING INC. and BLUE MOUNTAIN ADVENTURE PARK INC.

NOTICE OF APPLICATION

(Approvals and Increase to Interim Receiver's Borrowings Charge)

NOTICE TO RESPONDENTS: All recipients on the attached Service List

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Where	Court House, 520 Spadina Crescent East Saskatoon, Saskatchewan
Date	Thursday, April 13, 2023
Time	10:00 a.m.

(Read the Notice at the end of this document to see what else you can do and when you must do it.)

Remedy claimed or sought:

1. MNP Ltd. (the "**Interim Receiver**"), the Court-appointed Interim Receiver of The Lighthouse Supported Living Inc. (the "**Lighthouse**") and Blue Mountain Adventure Park Inc. ("**BMAP**"); together with the Lighthouse, the "**Corporations**") pursuant to the Order granted in these proceedings by the Honourable Madam Justice A.R. Rothery on February 24, 2023 (the "**Interim Receivership Order**") seeks an Order (Approvals and Increase to Interim Receiver's Borrowings Charge):
 - (a) approving the First Report of the Interim Receiver dated April 6, 2023 (the "**First Report**");
 - (b) approving the actions, activities, conduct, and Statement of Receipts and Disbursements of the Interim Receiver from February 24, 2023 through to and including April 6, 2023, as more particularly described in the First Report;
 - (c) approving the professional fees and disbursements of the Interim Receiver and its legal counsel, MLT Aikins LLP, up to and including March 31, 2023, all as more particularly described in the First Report; and
 - (d) increasing the limit of the "**Interim Receiver's Borrowings Charge**" (as that term is defined in the Interim Receivership Order) from \$100,000.00 to \$500,000.00.

2. Such further and other relief as counsel may request and this Honourable Court may allow.

Grounds for making this application:

Approval of the First Report, the Activities of the Interim Receiver, the Statement of Receipts and Disbursements, and the Professional Fees and Disbursements of the Interim Receiver and its Legal Counsel

3. As more particularly detailed in the First Report:
 - (a) the Receiver's mandate has at all times been carried out with efficiency and integrity and with due regard for the interests of all parties;
 - (b) the receipts and disbursements of the Receiver are detailed and transparent; and
 - (c) the professional fees and disbursements of the Receiver and its legal counsel are fair and reasonable in the circumstances.

Increasing The Limit On The Interim Receiver's Borrowings Charge To \$500,000.00

4. As more particularly discussed in the First Report, the Lighthouse is incurring ongoing operating losses in the range of \$100,000.00 per month. The Interim Receiver is responsible for continuing Lighthouse operations including, *inter alia*, making payroll, paying for utilities, and paying all required insurance premiums.
5. If the Interim Receiver is to continue to act with its current mandate (or any mandate), a significantly higher limit on the Receiver's Borrowings Charge is required in order to make up the cashflow deficit resulting from ongoing operating losses.

Material or evidence to be relied on:

6. This Notice of Application, with proof of service;
7. First Report of the Interim Receiver dated April 6, 2023;
8. Draft Order (Approvals and Increase to Interim Receiver's Borrowings Charge);
9. Brief of Law (to be filed); and
10. Such further and other materials as counsel may advise and this Honourable Court may allow.

Applicable Acts and regulations:

11. *The Queen's Bench Act, 1998*, SS 1998, c Q-1.01.

12. *The Non-Profit Corporations Act, 1995*, SS 1995, c N-4.2.

DATED at Saskatoon, Saskatchewan, this 6th day of April, 2023.

MLT AIKINS LLP

Per: 

Jeffrey M. Lee, K.C. and Paul Olfert counsel for the
Interim Receiver, MNP Ltd.

NOTICE

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

CONTACT INFORMATION AND ADDRESS FOR SERVICE:

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