

**Form 3-49**  
(Rule 3-49)



COURT FILE NUMBER KBG-SA-204-2023  
COURT OF KING'S BENCH FOR SASKATCHEWAN  
IN BANKRUPTCY AND INSOLVENCY  
JUDICIAL CENTRE SASKATOON  
APPLICANT AFFINITY CREDIT UNION 2013 AND AFFINITY  
HOLDINGS INC.  
RESPONDENT THE LIGHTHOUSE SUPPORTED LIVING INC.

IN THE MATTER OF AN APPLICATION FOR THE APPOINTMENT OF A RECEIVER OF THE ASSETS AND UNDERTAKINGS OF THE LIGHTHOUSE SUPPORTED LIVING INC. PURSUANT TO SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, RSC 1985, c B-3, SECTION 65(1) OF *THE QUEEN'S BENCH ACT 1998*, SS 1998, c Q-1.01, AND SECTION 64(8) OF THE *PERSONAL PROPERTY SECURITY ACT*, 1993 SS 1993, c P-6.2.

**ORIGINATING APPLICATION**

**NOTICE TO THE RESPONDENT**

This application is made against you. You are the respondents.

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: The Court House  
~~2425 Victoria Avenue~~  
Saskatoon, SK S4P 4W6

570 Spadina Cres. East

Date: Thursday, April 13, 2023

Time: 10:00 a.m.

Go to the end of this document to see what you can do and when you must do it.

**PARTICULARS OF APPLICATION**

**The Applicant seeks the following remedy or order:**

1. An Order pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 (the “BIA”), section 65(1) of *The Queen’s Bench Act*, 1998, S.S. 1998, c. Q-1.01 (the “QBA”) and section 64(8) of *The Personal Property Security Act*, 1993, S.S. 1993, c. P-62 (the “PPSA”) appointing MNP Ltd. as receiver of the property, assets and undertakings of the Respondent, The Lighthouse Supported Living Inc. (the “Debtor”), in the proposed form of Order filed in support of this Application.
2. Such further and other relief as counsel may request and this Honourable Court may allow.

**The Applicant’s grounds for making this application are:**


3. The Applicant is a secured creditor of the Debtor, and the Debtor has defaulted on its contractual obligations to the Applicant and is otherwise unable to meet its debt obligations as such become due. MNP Ltd. has consented to its appointment as receiver of the Debtor.
4. It is “just or convenient” for this Honourable Court to appoint a receiver of the Debtor pursuant to s. 243(1) of the BIA; it is “appropriate or convenient” for the Court to appoint a receiver of the Debtor pursuant to s. 65(1) of the QBA, and it is appropriate for the Court to appoint a receiver of the Debtor pursuant to s. 64(8) of the PPSA.
5. Further and more particular grounds are set out in the Applicant’s Brief of Law.

**In support of this application, the applicant relies on the following material or evidence:**

6. The Applicant relies upon:
  - (a) this Originating Application;
  - (b) Affidavit of Judy Du Chalard sworn April 5, 2023;

- (c) Affidavit of Judy Du Chalard sworn February 13, 2023, **previously filed in KBG-SA-00149-2023;**
- (d) Affidavit of Meagan Goodwin sworn February 23, 2023, **previously filed;**
- (e) Supplemental Affidavit of Meagan Goodwin sworn February 23, 2023, **previously filed;**
- (f) Second Affidavit of Adeel Salman sworn February 23, 2023, **previously filed in KBG-SA-00149-2023;**
- (g) BIA Notice of Intention with Proof of Service, **previously filed;**
- (h) Saskatchewan PPR Search Results effective April 5, 2023;
- (i) Report of MNP Ltd. acting as Interim Receiver, **to be filed in KBG-SA-00149-2023;**
- (j) Draft Proposed Receivership Order;
- (k) redlined version of the draft Proposed Receivership Order illustrating the departure from the Saskatchewan Template Receivership Order;
- (l) Consent to Act as Receiver executed by MNP Ltd.;
- (m) Brief of Law with authorities, **to be filed;**
- (n) Service List;
- (o) Order (Abridged Service); and
- (p) such further and other materials as this Honourable Court may allow.

DATED at Saskatoon, Saskatchewan, this 6<sup>th</sup> day of April, 2023.

  
Leland Kimpinski LLP  
Solicitors for the Applicants,  
Affinity Credit Union 2013  
and Affinity Holdings Inc.

This notice is issued at the above-noted judicial centre on the 6<sup>th</sup> day of April, 2023.



  
Local Registrar

TO: The Lighthouse Supported Living Inc.

TO: The parties listed on the attached Service List

### **NOTICE**

You are named as a respondent because you have made or are expected to make an adverse claim with respect to this originating application. If you do not come to Court either in person or by your lawyer, the Court may make an order declaring you and all persons claiming under you to be barred from taking any further proceedings against the applicant(s) and against all persons claiming under the applicant(s). You will be bound by any order the Court makes. If you want to take part in the application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of this form.

The rules require that a party moving or opposing an originating application must serve any brief of written argument on each of the other parties and file it at least 3 days before the date scheduled for hearing the originating application.

If you intend to rely on an affidavit or other evidence when the originating application is heard or considered, you must serve a copy of the affidavit and other evidence on the originating applicant at least 10 days before the originating application is to be heard or considered.

### **CONTACT INFORMATION AND ADDRESS FOR SERVICE**

Leland Kimpinski LLP  
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The Applicant's address for service is as above.