

COURT FILE NUMBER 2103 10970
COURT QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON
PLAINTIFF CANADIAN WESTERN BANK
DEFENDANT SHAMROCK VALLEY ENTERPRISES LTD.
DOCUMENT AFFIDAVIT

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

EMERY JAMIESON LLP
Barristers and Solicitors
2400, 10235 – 101 Street
Edmonton, AB T5J 3G1
Attn: Kyle Kawanami
Phone (780) 426-5220
Fax (780) 420-6277
Solicitors for the Defendant
File No. 33771-0001 KRK

SECOND AFFIDAVIT OF MURRY NIELSEN, SWORN AUGUST 19th, 2021

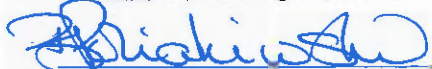
I, Murry Nielsen, Businessman, of the Town of Elk Point, in the Province of Alberta, MAKE OATH AND SAY AS FOLLOWS:

1. I am an officer and director of the Defendant Shamrock Valley Enterprises Ltd. ("Shamrock"). As such, I have personal knowledge of the facts and matters hereinafter deposed to, save and except where stated to be based on information and belief, and where so stated, I verily believe same to be true.
2. I have reviewed the business records maintained by Shamrock in respect to the matters at issue in these proceedings, which I believe were made in the ordinary and usual course of business, and where I do not have direct knowledge of matters deposed to herein, my knowledge is derived from my general knowledge of the business and operations of Shamrock, as well as a review of business records, relevant copies of which are attached to this Affidavit.
3. I am authorized to swear this Affidavit on behalf of Shamrock.
4. I previously swore an Affidavit in these proceedings on July 29th, 2021.

Recent Developments

5. Attached as **Exhibit "A"** is a true copy of the Order granted by Mr. Justice J.T. Neilson on July 30, 2021.
6. Since the filing of my July 29, 2021 Affidavit, and the Court Application of July 30, 2021, I have been working diligently with Essex Lease Financial Corporation ("Essex") to finalize a re-financing that will pay out Shamrock's debt to Canadian Western Bank.
7. Essex provided Shamrock with a commitment letter on August 4, 2021, in advance of the deadline contemplated in paragraph 4 of Justice Neilson's Order of July 30, 2021.
8. A copy of this letter has been provided to counsel for Canadian Western Bank.
9. I am advised by James Forrest at Essex, and believe to be true, that while Essex still intends to go forward, due to the time to complete land and equipment assessments, it will likely not close by August 27, 2021.
10. I am advised by James Forrest at Essex, and believe to be true, that Essex will likely need some additional time to finalize registrations and for funding to occur.
11. I make this Affidavit in support of an application to extend the stay on the Receivership Order.

Sworn before me)
at the Town of Elk Point)
in the Province of Alberta)
this 19th day of August, 2021)
)
)
)
)
)


A Commissioner of Oaths in and for
the Province of Alberta Aug 29/21
Brandy Dziakiwskie


MURRY NIELSEN

Clerk's Stamp



COURT FILE NUMBER 2103 10970

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE OF EDMONTON

APPLICANT: CANADIAN WESTERN BANK

RESPONDENT(S): SHAMROCK VALLEY ENTERPRISES LTD.

DOCUMENT ORDER

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
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McLENNAN ROSS LLP
#600 McLennan Ross Building
12220 Stony Plain Road
Edmonton, AB T5N 3Y4

Lawyer: Charles P. Russell, Q.C.
Telephone: (780) 482-9115
Fax: (780) 733-9757
Email: crussell@mross.com
File No.: 20212853

DATE ON WHICH ORDER WAS PRONOUNCED: July 30, 2021

NAME OF JUDGE WHO MADE THIS ORDER: Mr. Justice James T. Neilson

LOCATION OF HEARING: Edmonton

UPON hearing the application of CANADIAN WESTERN BANK ("CWB") for appointment of The Bowra Group Ltd. as receiver and manager of Shamrock Valley Enterprises Ltd. (the "Debtor"); AND UPON this Honourable Court having granted such receivership order (the "Receivership Order") but directing terms with respect to the stay thereof; AND UPON having heard counsel for CWB and the Debtor, amongst others;

IT IS HEREBY ORDERED AND DECLARED THAT:

- The Receivership Order shall be stayed until 11 a.m. August 27, 2021.
- August 27, 2021 at 11 a.m. shall be reserved for any necessary hearing with respect to this matter, before Mr. Justice Dunlop.
- The August 27, 2021 application shall be utilized *inter alia*, to either vacate the stay of the Receivership Order, or set aside the Receivership Order.

This is Exhibit "A" referred to in the Affidavit of
Marry Neilson
Sworn before me this 1st day
of August, A.D. 2021

Bandy Polishinski
A Commissioner for Oaths in and for the Province of Alberta
August 27/21

4. By August 13, 2021, the Debtor shall deliver to counsel for CWB, a firm commitment of refinancing sufficient to satisfy the CWB debt, issued by Essex Lease Financial Corporation (the "Commitment Letter").
5. In the event the Commitment Letter is not issued by August 13, 2021, the stay of the Receivership Order shall be lifted without further order.
6. The Debtor shall have until August 20, 2021, to file any application it may require with respect to the matters in issue in these proceedings, to be returnable August 27, 2021 at 11 a.m.
7. Approval of this Order shall be limited to counsel for the Debtor.


James S. Neilson

Justice of the Court of Queen's Bench of Alberta

Approved as being the Order granted by:

EMERY JAMIESON LLP

Per:



Kyle Kawanami, Solicitor for
Shamrock Valley Enterprises Ltd.