

FORM 27
[RULES 6.3 AND 10.52(1)]

COURT FILE	2201 09318
COURT	COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
PLAINTIFF	ARNAKI LTD.
DEFENDANT	SOLVAQUA INC.
DOCUMENT	CROSS APPLICATION
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Field LLP 400, 444 – 7 Avenue S.W. Calgary, AB T2P 0X8 Lawyer: Douglas Nishimura/Erika A. Carrasco Phone Number: (403) 260-8548 Fax Number: (403) 264-7084 File No. 50500-8

NOTICE TO RESPONDENT: ARNAKI LTD.

This application is made against you. You are a respondent.

You have the right to state your side of the matter before a Justice.

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

Date:	July 13, 2023
Time:	10:00 a.m.
Where:	Calgary Courts Centre, 601 – 5 Street SW, Calgary, Alberta
Before Whom:	The Honourable Justice C. M. Jones

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

Remedy claimed or sought:

1. An Order deeming service of the within Application and supporting Affidavit good and sufficient.
2. An Order compelling the Respondent, ARNAKI LTD. (the “**Respondent**”), to provide counsel for the Applicant, SOLVAQUA INC. (the “**Applicant**”), complete responses to

undertakings given at the Questioning on Affidavit of Paul Zogala, held July 5, 2023, to the extent that they have not already been provided to the Applicant, on or before July 13, 2023.

3. An Order adjourning in whole or in part, the Application before the Court on same date, until such time as the Respondent complies with any further Court Order.
4. Costs of this Application; and
5. Such further relief as this Honourable Court deems just.

Grounds for making this Application:

6. The Applicant requires the Respondent provide responses to outstanding undertakings given at the Questioning on Affidavit of Paul Zogala, held December 21, 2022.
7. Such further and other grounds as counsel may advise and this Honourable Court may permit.

Material or evidence to be relied on:

8. The Affidavit of Elvina Hussein, sworn July 5, 2023.
9. The pleadings in this Action.
10. Such further and other materials as counsel may advise and this Honourable Court may permit.

Applicable rules:

11. Rules 1.2, 1.4, 5.1, 5.4, 5.17, 5.29, 5.30, 5.31, 5.32, 6.3, 10.30, and 10.31 of the *Alberta Rules of Court*.
12. Such further and other Rules as counsel may advise.

Applicable Acts and regulations:

13. None.

Any irregularity complained of or objection relied on:

14. None.

How the application is proposed to be heard or considered:

15. To be heard in Commercial Justice Chambers via Webex.

AFFIDAVIT EVIDENCE IS REQUIRED IF YOU WISH TO OBJECT.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the Applicants 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 Applicants.