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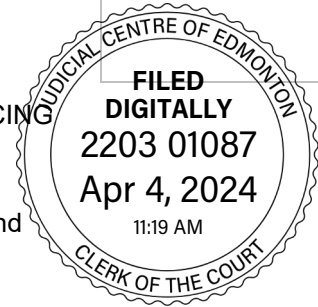
EDMONTON

PLAINTIFFS

TIMBERCREEK MORTGAGE SERVICES  
INC. and 2292912 ONTARIO INC.

DEFENDANTS

SYMPHONY CONDOMINIUM LTD.,  
ROCKWOOD MANAGEMENT LTD. and  
ALLEN WASNEA



DOCUMENT

**ORDER (VARY SALE PROCESS ORDER,  
SALE APPROVAL AND SEALING)**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF PARTY  
FILING THIS DOCUMENT

**McMillan LLP**  
TD Canada Trust Tower  
#1700, 421-7<sup>th</sup> Avenue SW  
Calgary, Alberta T2P 4K9

**Attention: Adam Maerov**  
Telephone: 403-215-2752  
Facsimile: 403-531-4720

**Attention: Preet Saini**  
Telephone: 403-531-4716  
Facsimile: 403-531-4720  
File Number: 287823

**DATE ON WHICH ORDER WAS PRONOUNCED:** April 3, 2024  
**LOCATION WHERE ORDER WAS PRONOUNCED:** Edmonton Law Courts  
**NAME OF JUSTICE WHO MADE THIS ORDER:** The Honourable Justice J.S. Little

UPON THE APPLICATION of MNP Ltd., in its capacity as court-appointed receiver and manager (the "Receiver") of Symphony Condominium Ltd. ("Debtor"); AND UPON reviewing the Sixth Report of the Receiver dated March 28, 2024 ("Sixth Report"), the Second Confidential Report of the Receiver dated May 11, 2022 ("Second Confidential Report") and the Seventh Confidential Report of the Receiver dated March 28, 2024 ("Seventh Confidential Report"); AND UPON reviewing the consent receivership order granted by the Honourable Justice Lema on April 7, 2022 appointing the Receiver as receiver and manager of Symphony Condominium Ltd. ("Receivership Order"), the order approving marketing process, sale approval process, activities, distributions and sealing granted by the Honourable Justice Dunlop on May 18, 2022 contained therein (the "Sales Process Order"), the order amending the Sales Process Order granted by the Honourable Justice Neilson on April 24, 2023 (the "First Sale Process Amendment Order") and the order further amending the Sales Process Order granted by the Honourable Justice Neilson on September 14, 2023 (the "Second Sale Process Amendment Order"); AND UPON reviewing

the Affidavit of Service confirming service on the service list contained therein (“Service List”); AND UPON hearing counsel for the Receiver and any other interested parties present;

AND UPON being advised that the Receiver seeks an order temporarily sealing the Seventh Confidential Report and varying the Sales Process Order;

AND UPON being advised that the Receiver seeks approval of a sale transaction contemplated by an offer to purchase (the “Offer to Purchase”) between the Receiver and Ryan Henry Gnenz (“Purchaser”) dated March 7, 2024 and appended to the Sixth Report (redacted) and Seventh Confidential Report (unredacted) and vesting in the Purchaser (or its nominee) the Debtor’s right, title and interest in and to the assets described in the Offer to Purchase;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

**SERVICE**

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this application and time for service of this application is abridged to that actually given.

**THIRD AMENDMENT TO SALES PROCESS ORDER**

2. Paragraph 3 of the Sales Process Order, as varied by First Sale Process Amendment Order and the Second Sale Process Amendment Order, is further varied to read as follows:
  3. Any Sale Agreements entered into for the purchase and sale of any of the Symphony Units are hereby approved provided that:
    - (a) The purchase price for the Symphony Units (as defined in the Sixth Report) and the remaining terms of any Sale Agreement (collectively with the purchase price, the “Sale Terms”) are approved by both the Receiver and Timbercreek Mortgage Servicing Inc., all approvals acting reasonably.
3. All other terms of the Sales Process Order shall remain in full force and effect.
4. The Offer to Purchase is hereby approved pursuant to the Sales Process Order (as varied by this Order).
5. The Registrar of Land Titles is hereby directed to comply with the Sale Process Order and this Order in respect of the Offer to Purchase.

**TEMPORARY SEALING**

6. The Seventh Confidential Report shall, until the filing of all of the Receiver's Closing Certificate in respect of the last Symphony Unit (as defined in the Sales Process Order) or upon further order of this Honourable Court, be sealed and kept confidential, to be shown only to a Justice of the Court of King's Bench of Alberta, and accordingly, shall be filed with the Clerk of the Court who shall keep the Confidential Report in a sealed envelope, which shall be clearly marked "SEALED PURSUANT TO THE ORDER OF THE HONOURABLE JUSTICE LITTLE DATED April 3, 2024."

**FILING**

7. The Clerk of the Court is directed to file this Order forthwith and return it to McMillan LLP for further handling.

**SERVICE**

8. Service of this Order shall be deemed good and sufficient by:
- a. Serving the same on:
    - (i) the persons listed on the service list created in these proceedings;
    - (ii) any other person served with notice of the application for this Order;
    - (iii) any other parties attending or represented at the application for this Order;
  - b. Posting a copy of this Order on the Receiver's website at:  
<https://mnpdebt.ca/en/corporate/corporate-engagements/fmpc>

and service on any other person is hereby dispensed with.

9. Service of this Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.

  
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Justice of the Court of King's Bench of Alberta