

THE QUEEN'S BENCH  
Winnipeg Centre

IN THE MATTER OF THE *COMPANIES' CREDITORS'*  
*ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PROPOSED PLAN OF COMPROMISE OR  
ARRANGEMENT WITH RESPECT TO ARCTIC GLACIER INCOME FUND, ARCTIC  
GLACIER, INC., ARCTIC GLACIER INTERNATIONAL, INC. and the ADDITIONAL  
APPLICANTS LISTED IN SCHEDULE "A" HERETO

(collectively, the "APPLICANTS")

APPLICATION UNDER THE *COMPANIES' CREDITORS' ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36 AS AMENDED

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**AFFIDAVIT OF CLAIMANT MARTIN G. MCNULTY**  
**Sworn: September 12, 2014**

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**FILED**  
QUEEN'S BENCH  
SEP 12 2014  
**LAW COURTS**  
WINNIPEG

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**AFFIDAVIT OF MARTIN G. MCNULTY**

I, Martin G. McNulty, of the City of Detroit, in the State of Michigan,

**MAKE OATH AND SAY THAT:**

1. I, Creditor Martin McNulty, have personal knowledge of the facts and matters hereinafter deposed to by me.
2. I was never served notice of the Monitor's motion to appoint a claims officer, and did not otherwise receive actual notice of the motion until November 2013 – months after it was granted.
4. Before filing the motion to appoint a claims officer, the Monitor did not consult with me or my counsel about the appropriate process for resolving

my claim.

5. Shortly after the Monitor referred my claim to Justice Ground, my counsel, Daniel Kotchen and Daniel Low, promptly sent a letter to Justice Ground objecting to the referral.

6. Although my counsel timely filed a claim on my behalf in October 2012, I was not served with notice of the relevant proceedings in this matter until my attorneys were added to the service list for this matter in late 2013.

7. In light of Arctic Glacier's assurances through its counsel that Arctic Glacier would support the appointment of an American claims adjudicator, I did not affirmatively seek the appointment of a claims adjudicator based in the United States.

8. I make this affidavit in good faith.

**SWORN** before me at the City of )  
Detroit, in the State of )  
Michigan, this 12<sup>th</sup> )  
day of September, 2014 )

*Martin G. McPherty*

*D. S. Patel*  
\_\_\_\_\_  
A Notary Public in and for the  
State of Michigan

