

**COURT FILE NUMBER** 

1103 18646

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

**EDMONTON** 

**APPLICANTS** 

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

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF ARMAC INVESTMENTS LTD. (AB), LAKE EDEN PROJECTS INC. (AB), 1204583 ALBERTA INC. (AB), 1317517 ALBERTA INC. (AB), WESTRIDGE PARK LODGE DEVELOPMENT CORP. (AB), and WESTRIDGE PARK LODGE AND GOLF RESORT LTD. (AB), HALF MOON LAKE RESORT LTD. (AB), NO. 50 CORPORATE VENTURES LTD. (BC), FISHPATH RESORTS CORPORATION (BC), ARMAC INVESTMENTS LTD. (BC), OSTROM ESTATES LTD. (BC), HAWKEYE MARINE GROUP LTD. (BC), JUBILEE MOUNTAIN HOLDINGS LTD. (BC), GIANT MOUNTAIN PROPERTIES LTD. (BC) and CHERRY BLOSSOM PARK DEVELOPMENT CORP (BC) (collectively, the "Purdy Group")

DOCUMENT

**ORDER** 

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

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Fraser Milner Casgrain LLP
Barristers & Solicitors
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File No.: 529227-7/RCR

DATE ON WHICH ORDER WAS PRONOUNCED:

28<sup>th</sup> day of September, 2012

LOCATION WHERE ORDER WAS PRONOUNCED:

Edmonton, Alberta

NAME OF MASTER / JUSTICE WHO MADE THIS ORDER:

The Honourable Mr. Justice D.R.G.

Thomas

UPON the application of the Alvarez & Marsal Canada Inc. in its capacity as Court appointed monitor of the Purdy Group (the "Monitor"); AND UPON having regard to the Claims

Procedure Order granted in the within Action on February 15, 2012 (the "Claims Procedure Order"); AND UPON hearing the submissions of Counsel for the Monitor and Counsel for the Purdy Group and Counsel for other interested persons; IT IS HEREBY ORDERED AND DECLARED THAT:

## **SERVICE**

1. The time for service of the notice of application for this Order is hereby abridged and service thereof is deemed good and sufficient.

## PROCEDURE FOR RESOLVING DISPUTE NOTICE

- 2. So long as the stay period imposed in these proceedings pursuant to s. 11.02(2) of the Companies Creditor Arrangement Act, RSC 1985, c C-36, as amended remains in effect, the following procedure and timelines shall be implemented with respect to all Claimants which have submitted a Proof of Claim for which the Monitor has issued a Notice of Revision or Disallowance as at the date of this Order and for which the Claimant has delivered to the Monitor a Dispute Notice (an "Appealing Claimants") which procedure and timelines shall operate concurrently with the procedure and timelines directed in the Proposal Proceedings of John (Jack) Kenneth Purdy in court action no. BE03-568045 (all capitalized terms not herein defined being as defined in the Claims Procedure Order):
  - the Monitor shall, by October 26, 2012, file and serve on counsel for the (a) Appealing Claimants a report summarizing the Claims for which it has issued a Notice of Revision or Disallowance, such report to include copies of the applicable Proofs of Claim, Notices of Revision or Disallowance and Dispute Notices and a summary of the basis for the Notice of Revision or Disallowance with reference, if applicable, to any information or records relied upon by the Monitor in respect of the decision to disallow or revise the Claim, and such report may be served by email to counsel for the Appealing Claimant if known to the Monitor and by posting to the Monitor's website www.alvarezandmarsal.com/purdy;
  - (b) Appealing Claimants are to file and serve their briefs on the Purdy Group and the Monitor by November 16, 2012 and the Purdy Group is to file and serve its brief on the Appealing Claimants and the Monitor by November 30, 2012; and
  - (c) if the Monitor is directed to file a brief by this Honourable Court, it shall file and serve its brief on the Appealing Claimants and the Purdy Group by December 14, 2012.

- 3. All evidence, reports and briefs filed in these proceedings shall be treated as evidence, reports and briefs in the Proposal Proceedings of John (Jack) Kenneth Purdy in court action no. BE03-568045.
- 4. This Order may be endorsed by counsel in counterpart and a facsimile or other electronic copy of any endorsement by counsel shall be as effective as an original.

J.C.Q.B.A. Thous I

AGREED AS BEING THE ORDER GRANTED:

TAYLOR LAW OFFICE

Per:

Conan Taylor

Solictions for the Purdy Group

AGREED AS BEING THE ORDER GRANTED:

MINTZ LAW:

Per: \_\_\_\_\_\_Bruce Mintz

Solicitors for Byron Loewen, P.D.Y. Management Services Ltd., Hora Vamos Ventures Ltd., S&D International Group Ltd., Orest Rusnak/Zoobe Ventures Inc., Brenda Lane, Allan McMullin and Dawson McMullin

- 3. All evidence, reports and briefs filed in these proceedings shall be treated as evidence, reports and briefs in the Proposal Proceedings of John (Jack) Kenneth Purdy in court action no. BE03-568045.
- 4. This Order may be endorsed by counsel in counterpart and a facsimile or other electronic copy of any endorsement by counsel shall be as effective as an original.

J.C.Q.B.A,

AGREED AS BEING THE ORDER GRANTED: TAYLOR LAW OFFICE:

Per:

Conan Taylor

Solictions for the Purdy Group

AGREED AS BEING THE ORDER GRANTED:

MINTZ LAW;

Per:

Solicitors for Byron Loewen, P.D.Y. Management

Services Ltd., Hora yamos Ventures Ltd.,

S&D International Group Ltd., Orest Rusnak/Zoobe

Ventures Inc., Brenda Lane, Allan McMullin

and Dawson McMullin