

Form 27
[Rules 6.3 and 10.52(1)]

Clerk's Stamp



COURT FILE NUMBER 1103 18646
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, RSC 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), 131717 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), FISHPATHS RESORTS
CORPORATION (BC), ARMAC INVESTMENT 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")

APPLICANT ALVAREZ & MARSAL CANADA INC. IN ITS
CAPACITY AS MONITOR OF THE PURDY GROUP

DOCUMENT **APPLICATION ON BEHALF OF ALVAREZ &
MARSAL CANADA INC. IN ITS CAPACITY AS
MONITOR OF THE PURDY GROUP**

ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS
DOCUMENT

RAY C. RUTMAN
Dentons Canada LLP
2900 Manulife Place
10180 – 101 Street
Edmonton, AB T5J 3V5
Ph. (780) 423-7246 Fx. (780) 423-7276
File No.: 529227-7

NOTICE TO THE PURDY GROUP AND PERSONS ON THE SERVICE LIST:

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

You have the right to state your side of this matter before the Justice or Master.

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

Date	October 25, 2013
Time	10:00 a.m.
Where	Law Courts Building Edmonton, Alberta
Before Whom	The Honourable Mr. Justice D.R.G. Thomas

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

Remedy claimed or sought:

1. An Order in the form of the draft Order attached as Schedule "A" to this Application or on such further and other terms as this Honourable Court may direct declaring that Division 4, Part 6 of the Rules of Court does not apply to this Application and that a copy of Appendix "C" to the Eighteenth Report of the Monitor be filed with this Honourable Court and that such copy be temporarily sealed until further Order of this Honourable Court.

Grounds for making this application:

2. An Initial Order was granted by this Honourable Court December 1, 2011 pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36 as amended (the "CCAA") on December 1, 2011 (the "Initial Order").
3. By the Initial Order the Monitor was appointed monitor for the purpose of monitoring the property, business and financial affairs of the Purdy Group.
4. By an Order of this Honourable Court dated September 6, 2013 the Monitor was authorized to:
 - (a) market and list in its own name on behalf of all or any of the Purdy Group certain properties referred to as the "Ocean Front Property";
 - (b) execute in its own name by or on behalf of all or any of the Purdy Group offers, counter-offers, sale agreements and amendments or addenda to any such documents (individually and collectively "Agreements") with respect to the Ocean Front Property subject to the approval of this Honourable Court subsequent to execution by the Monitor;

- (c) apply to this Honourable Court for approval of any Agreements entered into by the Monitor authorized by such Order and for the vesting of the Ocean Front Property into the name of a proposed purchaser or its nominee; and
 - (d) do all acts and execute all documents in its own name on behalf of any of the Purdy Group for the purpose of implementing any Agreement approved by this Honourable Court.
- 5. In accordance with the terms of the September 6, 2013 Order, the Monitor has accepted an offer from 0924605 BC Ltd. ("605") for the Ocean Front Property (the "Offer") subject to the approval of this Honourable Court.
- 6. The Monitor is concurrently applying to this Honourable Court for approval of the Offer.
- 7. Appendix "C" of the Eighteenth Report of the Monitor contains confidential information of a commercial nature which if disclosed to third parties prior to the closing of the sale contemplated by the Offer could materially jeopardize the sale, or, if the sale does not close, could materially jeopardize the value that the Purdy Group could subsequently obtain from the sale of the Ocean Front Property and as such the Monitor is respectfully of the view that it is appropriate that this Honourable Court grant a temporary Sealing Order in respect of Appendix "C" to the Eighteenth Report of the Monitor.

Material or evidence to be relied on:

- 8. The unfiled Seventeenth Report of the Monitor, the filed Eighteenth Report of the Monitor without Appendix "C", the unfiled copy of Appendix "C" to the Eighteenth Report of the Monitor, the pleadings and proceedings herein and such further and other material as counsel may advise and this Honourable Court may permit.

Applicable Legislation:

- 9. *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended.
- 10. Such further and other legislation and authority as counsel may advise and this Honourable Court may permit.

Any irregularity complained of or objection relied on:

- 11. N/A

How the application is proposed to be heard or considered:

12. In open chambers by way of personal attendance of counsel.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) 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 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 applicant.

SCHEDULE "A"

Clerk's Stamp:

COURT FILE NUMBER	1103 18646
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	EDMONTON
	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), 131717 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), FISHPATHS RESORTS CORPORATION (BC), ARMAC INVESTMENT 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")
APPLICANT	ALVAREZ & MARSAL CANADA INC. IN ITS CAPACITY AS MONITOR OF THE PURDY GROUP
DOCUMENT	<u>TEMPORARY SEALING ORDER</u>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	RAY C. RUTMAN Dentons Canada LLP 2900 Manulife Place 10180 – 101 Street Edmonton, Alberta T5J 3V5 Ph. (780) 423-7246 Fx. (780) 423-7276 File No.: 529227-7

DATE ON WHICH ORDER WAS PRONOUNCED: Friday, October 25, 2013

LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, Alberta

NAME OF MASTER/JUDGE WHO MADE THIS ORDER: The Honourable Mr. Justice D. R. G.
Thomas

UPON Application of counsel on behalf of Alvarez & Marsal Canada Inc. (the "Monitor"); AND UPON having read the unfiled Seventeenth Report of the Monitor and the Eighteenth Report of the Monitor without Appendix "C" and proof of service thereof; AND UPON having read the unfiled copy of Appendix "C" to the Eighteenth Report of the Monitor; AND UPON hearing counsel for the Monitor and counsel for the Purdy Group (which, in this Order shall mean and include those persons referenced as being included in the Purdy Group in the style of cause in these proceedings) and other counsel who appeared at the hearing of this Application;

IT IS HEREBY ORDERED THAT:

1. Service of the Application for this Order and any material in support is deemed good and sufficient upon all interested persons and the time for service of such Application and material is abridged to the time actually given.
2. Counsel for the Monitor is directed to forward to the Clerk of the Court a copy of Appendix "C" to the Eighteenth Report of the Monitor (the "Confidential Document").
3. Division 4 of Part 6 of the Rules of Court do not apply to this Application and the Clerk of the Court is directed to seal the Confidential Document on the Court file until the Clerk receives a letter from the Monitor confirming the sale of the property referred to in these proceedings as the Ocean Front Property has closed or further Order of this Honourable Court. The Clerk of this Honourable Court is directed to seal the Confidential Document in an envelope setting out the style of cause in the within proceedings and labeled:

"This envelope contains a Confidential Document. This Confidential Document is sealed on the Court file pursuant to an Order issued by the Honourable Mr. Justice D.R.G. Thomas, Friday, October 25, 2013. This Confidential Document is not to be accessed by any person until the filing of a letter from Alvarez & Marsal Canada Inc. in its capacity as Monitor of the Purdy Group confirming that the sale of the property referenced in the Confidential Document has closed or further Order of this Honourable Court."

4. No transcript of the hearing in these proceedings held October 25, 2013 shall be prepared absent the written consent of the Monitor or further Order of this Honourable Court.

J.C.Q.B.A.