



This is the 1st affidavit of
Peter Rubin in this case and was
made on May 26, 2026

No. S-261350
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN

NATIONAL BANK OF CANADA

PETITIONER

AND

1030931 B.C. LTD., MANNEY TRANSPORT LTD., NCG NATIONAL
CONTAINER GROUP INC., 1312230 B.C. LTD. dba LIQUOR 56, 1385161 B.C.
LTD. AND 1149075 B.C. LTD. dba BURNABY LIQUOR MART

RESPONDENTS

AFFIDAVIT

I, **Peter Rubin**, of 3500 – 1133 Melville Street, Vancouver, British Columbia, Lawyer, AFFIRM
THAT:

1. I am a Partner of Blake, Cassels & Graydon LLP ("**Blakes**"), the solicitors for Alvarez & Marsal Canada Inc. ("**A&M**") in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of 1030931 B.C. Ltd., Manney Transport Ltd., NCG National Container Group Inc., 1312230 B.C. Ltd. doing business as Liquor 56, 1385161 B.C. Ltd. and 1149075 B.C. Ltd. doing business as Burnaby Liquor Mart (collectively, the "**Debtors**"). As such, I have personal knowledge of the matters deposed to in this Affidavit except where I depose to a matter based on information from an informant I identify in which case I believe that both the information from the informant and the resulting statement are true.

2. I graduated from law school with honours in 1998, clerked for the British Columbia Court of Appeal from 1998-1999, and have been a member of the Law Society of British Columbia

since 2000. Over the past 25 years, my practice has involved acting on numerous restructuring and insolvency mandates in British Columbia and across Canada. I regularly represent Court-appointed monitors, receivers, and trustees in proceedings before this Court commenced under the *Companies' Creditors Arrangement Act* and the *Bankruptcy and Insolvency Act*. I have been ranked as a leading lawyer by numerous publications including Chambers Global, The Legal 500 Club, Chambers Canada, Thomson Reuters Stand-out Lawyers, The Best Lawyers in Canada, The Canadian Legal Lexpert Directory, Benchmark Canada, and Who's Who Legal.

3. In the present proceedings, I am the Partner at Blakes who has had primary carriage of this matter.

4. A&M was appointed as Receiver of the Debtors pursuant to the order of this Court dated March 10, 2026 (the "**Receivership Order**"). Pursuant to the Receivership Order, certain of the Receiver's powers in respect of 1312230 B.C. Ltd., doing business as Liquor 56, 1385161 B.C. Ltd. and 1149075 B.C. Ltd., doing business as Burnaby Liquor Mart (collectively, the "**Liquor Store Entities**") were deferred to May 10, 2026. The Receivership Order provided that, as of May 10, 2026, the Receiver was empowered and authorized, but not obligated, to act in respect of the property of the Liquor Store Entities.

5. In advance of May 10, 2026, the Receiver did not exercise its powers in respect, or take possession, of the property of the Liquor Store Entities pursuant to the Receivership Order.

6. This fee approval and discharge application is in respect of the Liquor Store Entities only.

7. The work performed by Blakes on behalf of the Receiver as it relates to the Liquor Store Entities has been tracked by Blakes in its time and billing records. No invoices have been issued in respect of work specifically performed in relation to the Liquor Store Entities, the significant majority of which has been completed within the month of May. Blakes' fees and disbursements attributable to the Liquor Store Entities are summarized herein.

8. With respect to the Receiver's mandate for the Liquor Store Entities, the work completed by Blakes can be summarized as follows:

- (a) attending to various matters relating to the refinancing efforts for the Liquor Store Entities, including corresponding with counsel to the Debtors and National Bank of Canada, the Debtors' senior secured lenders;
- (b) responding to the Debtors' application to amend the Receivership Order to remove the Liquor Store Entities from the scope of the receivership, including drafting responsive materials and preparing for and attending said hearing;
- (c) providing advice and analysis with respect to various issues related to a partial discharge of the Liquor Store Entities from the Receivership Order; and
- (d) preparing materials for discharge of the Receiver with respect to the Liquor Store Entities and related fee approval application.

9. I was assisted by the following Blakes lawyers, who were able to complete work commensurate with their experience at a standard hourly rate lower than my standard hourly rate of \$1,125:

- (a) Claire Hildebrand: Ms. Hildebrand is a partner called to the Law Society of British Columbia with more than eight years of experience, whose practice focuses on restructuring and insolvency matters. As of May 24, 2026, Ms. Hildebrand had spent approximately 2 hours assisting the Receiver in connection with the Liquor Store Entities at her standard hourly rate of \$875; and
- (b) Myim Bakan Kline: Mr. Bakan Kline is a lawyer called to the Law Society of British Columbia in 2024 whose practice focuses on insolvency and commercial litigation. As of May 24, 2026, Mr. Bakan Kline had spent approximately 35 hours assisting the Receiver in connection with the Liquor Store Entities at his standard hourly rate of \$600.

10. The fees charged by Blakes with respect to the Liquor Store Entities represent approximately 40 hours of work performed at a blended hourly rate of approximately \$640.

11. Blakes' estimated fees and disbursements for the time spent by Blakes lawyers in Blakes' capacity as counsel to the Receiver in connection with the Liquor Store Entities from March 10, 2026 to May 24, 2026 are as follows:

- (a) **Fee Total:** \$25,597.50
- (b) **Taxes (GST + PST):** \$3,071.70
- (c) **Total:** \$28,669.20

12. The fees attributable to the Liquor Store Entities are calculated based on the hours spent by Blakes personnel, multiplied by the applicable standard hourly rates charged by Blakes. The other amounts consist of applicable taxes (PST and GST) and disbursements incurred by Blakes that were charged at cost.

13. The hourly rates of Blakes lawyers are reviewed annually by the firm. Blakes considers various factors when assessing these rates including, without limitation, market data, which includes the hourly rates of lawyers at law firms based on size, location, year of call, and practice area, and client feedback. Based on the information it considers, Blakes sets the hourly rates of its lawyers in a manner consistent with market standards for lawyers at a similar year of call.

14. In my view, in light of my experience in this practice area, the differences in rates between and among Blakes lawyers are both reasonable and consistent with market rates including, specifically, in the insolvency context.

15. More specifically, I believe that the professional services provided by Blakes to the Receiver were performed by Blakes in a prudent and economical manner, with work being performed by, or delegated to, the appropriate professionals in Blakes when appropriate, having regard to knowledge of the matters at issue in this proceeding at the time the professional services were required, the cost-efficiencies associated with maintaining file continuity, the requisite levels of experience required by the services in question, the value of the assets in question and the successful results of the process.

16. I estimate that the cost for the Receiver to conclude matters relating to the Liquor Store Entities from and after May 26, 2026 will be approximately \$15,000 or less, although this amount could differ should any further Court applications or appearances be required by the Receiver or any unforeseen issues arise.

17. With respect to the fees and disbursements attributable to the Liquor Store Entities, to the best of my knowledge, information, and belief, the information summarized herein is true and accurate as to:

- (a) the number of hours worked;
- (b) the nature of work performed;
- (c) the identity of the individuals who performed the work; and
- (d) the rates charged for the work performed.

18. Further, with respect to the professional services described herein, I do verily believe that:

- (a) the fees attributable to the Liquor Store Entities have been tracked by Blakes and approved by the Receiver;
- (b) Blakes' fees in this matter were charged at the firm's standard rates and are, from my experience, consistent with the fees charged by similar quality law firms of a similar size for work of a similar nature and complexity and with similar professional experience providing professional services in connection with British Columbia and Canadian insolvency proceedings;
- (c) the work completed by Blakes was delegated to the appropriate professionals with the appropriate level of seniority and hourly rates;
- (d) the services performed by Blakes were performed in a prudent and economical manner; and
- (e) Blakes' professional fees and disbursements have been properly incurred and are fair and reasonable in the circumstances.

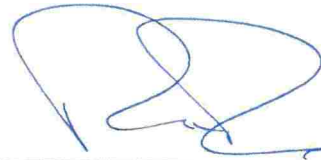
19. I make this Affidavit expressly for the purposes of the Receiver's application to approve its accounts and Blakes' fees and disbursements attributable to the Liquor Store Entities, and for no other purpose. Nothing herein is a waiver of solicitor-client privilege by the Receiver.

AFFIRMED BEFORE ME at Calgary,
Alberta, on May 26, 2026



A Commissioner for taking Affidavits for
Alberta

Angad Beni
Barrister & Solicitor



Peter Rubin