

COURT FILE NUMBER 2201-03735
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF THE BANK OF MONTREAL

DEFENDANTS THE INSTITUTE OF WELLNESS AND ADVANCED
AESTHETICS LTD., WANDA LEE, THE ESTATE OF JONATHAN
PATRICK LEE, 1608309 ALBERTA LTD., and MOUNT ROYAL
SURGICAL CENTRE INC.

DOCUMENT **ORDER (Distribution)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT: McCarthy Tétrault LLP
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DATE ON WHICH ORDER WAS PRONOUNCED: July 7, 2022

LOCATION OF HEARING OR TRIAL: Calgary, Alberta


NAME OF JUDGE WHO MADE THIS ORDER: Honourable Justice B.E.C. Romaine

UPON the application (the "**Application**") of Alvarez & Marsal Canada Inc. (the "**Receiver**"), in its capacity as the court-appointed receiver and manager of The Institute of Wellness and Advanced Aesthetics Ltd., 1608309 Alberta Ltd., and Mount Royal Surgical Centre Inc. (collectively, the "**Debtors**") pursuant to the Receivership Order granted on April 1, 2022 (the "**Receivership Order**"), in the within proceedings (the "**Proceedings**"), **AND UPON** reading the First Report of the Receiver, dated May 25, 2022 (the "**First Receiver's Report**"), filed; **AND UPON** reading the Second Report of the Receiver, dated June 27, 2022 (the "**Second Receiver's Report**"), the First Supplement to the Second Report of the Receiver, dated July 7, 2022 (the "**Supplemental Second Receiver's Report**"), the Brief of Law and Argument of the Receiver, dated July 7, 2022, all filed; **AND UPON** reading the Confidential Appendixes "1" to "3" to the Second Receiver's Report, dated June 27, 2022 (the "**Confidential Appendixes**"), unfilled; **AND UPON** reading the Affidavit of Service of Katie Doran, sworn on July 5, 2022 (the "**Service Affidavit**"), filed; **AND UPON** hearing counsel for the Receiver and for any other parties who may be present;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The time for service of the Application, the Second Receiver's Report, and the Supplemental Second Receiver's Report is abridged, the Application is properly returnable today, service of the Application, the Second Receiver's Report, and the Supplemental Second Receiver's Report on the service list, in the manner described in the Service Affidavit, is good and sufficient, and no persons other than those listed on the service list (the "**Service List**") attached as an exhibit to the Service Affidavit, are entitled to service of the Application, the Second Receiver's Report, or the Supplemental Second Receiver's Report.
2. The security interest granted by the Debtors to the Bank of Montreal ("**BMO**") over the Property is valid and enforceable and, subject only to the charges contained in the Receivership Order, holds priority over any and all claims, estates, rights, title, interests, hypothecs, mortgages, charges, liens (whether contractual, statutory or otherwise), security interests, assignments, actions, levies, taxes, writs of execution, options, agreements, disputes, debts, encumbrances, or other rights, limitations or restrictions of any nature whatsoever, or any other contractual, financial or monetary claims of any nature whatsoever, whether or not any of the foregoing have attached or been perfected, registered or filed, and whether secured, unsecured or otherwise.
3. The Receiver is authorized and empowered, immediately and from time to time hereafter as the Receiver determines appropriate and subject only to the charges contained in the Receivership Order, to make distributions to BMO in an amount sufficient to irrevocably repay all indebtedness, liabilities and obligations owing by the Debtors to BMO, including, without limitation, all principle, interest, fees owing to BMO, all costs and expenses incurred by BMO and all legal fees and costs charged to BMO on a solicitor and own client, full indemnity basis.
4. Service of this Order on the Service List by email, facsimile, registered mail, courier, or personal delivery shall constitute good and sufficient service of this Order, and no persons other than the persons listed on the Service List are entitled to be served with a copy of

this Order. Service is deemed to be effected the next business day following the transmission or delivery of such documents.

A handwritten signature in black ink, appearing to be 'J.C.C.Q.B.A.', written above a horizontal line.

J.C.C.Q.B.A.