

COURT FILE NUMBER 25-094212  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
IN BANKRUPTCY AND INSOLVENCY  
JUDICIAL CENTRE CALGARY  
IN THE MATTER OF THE *BANKRUPTCY  
AND INSOLVENCY ACT*, R.S.C. 1985, c. B-  
3, AS AMENDED



AND IN THE MATTER OF ARRES CAPITAL  
INC.  
APPLICANTS KENZIE FINANCIAL INVESTMENTS LTD.,  
SHELLY BECK, BRIAN SEKIYA, HOLLY  
SEKIYA, LINDA JAEGER, STEVE REILLY,  
LESTER IKUTA, MICKEY IKUTA, LESTER  
IKUTA PROFESSIONAL CORPORATION,  
ACCESS MORTGAGE CORPORATION  
(2004) LIMITED, RAYMOND SCRABA,  
PAULETTE SCRABA AND 1082144  
ALBERTA LTD.

DOCUMENT **BANKRUPTCY ORDER**  
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
Cassels Brock & Blackwell LLP  
Suite 1250 Millennium Tower,  
440 – 2nd Avenue SW,  
Calgary, Alberta, T2P 5E9  
Telephone 403-351-2921  
Facsimile 403-648-1151  
**Attention: Jeffrey Oliver**

I hereby certify this to be a true copy of the original order of which it purports to be a copy.  
Dated this 26<sup>th</sup> day of July 2017  
for Registrar at Calgary  
Registrar at Calgary  
Bankruptcy Division of the  
Court of Queen's Bench of Alberta

DATE ON WHICH ORDER WAS PRONOUNCED: July 26, 2017  
NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Justice Eidsvik  
LOCATION OF HEARING: Calgary, Alberta

**UPON THE APPLICATION** of Access Mortgage Corporation (2004) Limited (the "**Applicant**"), a creditor, of Arres Capital Inc. ("**Arres**"), filed on the 8th day of September, 2011; and upon having read the Affidavit of Truth of David Murphy, sworn August 29, 2011, filed, the Affidavit of Truth of Raymond Scraba, sworn August 29, 2011, filed, the Affidavit of Truth of Cheryl Newman, sworn August 29, 2011, filed, the Supplementary Affidavit of Truth of David Murphy, sworn December 16, 2011, filed, the Affidavit of Truth of Allan Beck, sworn December 16, 2013, filed, the Affidavits of Truth of Shelly Beck, sworn

December 16, 2013, filed, the Affidavit of Truth of Brian Sekiya, sworn December 20, 2013, filed, the Affidavit of Truth of Holly Sekiya, sworn December 20, 2013, filed, the Affidavit of Truth of Linda Jaeger, sworn December 16, 2013, filed, the Affidavit of Truth of Steve Reilly, sworn December 16, 2013, filed, the Affidavit of Truth of Mickey Ikuta, sworn December 16, 2013, filed, the Affidavits of Truth of Lester Ikuta, sworn December 16, 2013, filed, the Affidavit of Verification of Statements in application for Bankruptcy Order sworn by David Murphy, on the 12th day of June, 2017, filed, the Supplementary Affidavit of David Murphy, sworn July 13, 2017, filed, the Notice of Disputing Application, filed, the Consent of Alvarez & Marsal Canada Inc. to act as trustee, filed; and upon hearing the submissions of counsel for the Applicant and counsel for Arres;

And upon it appearing to the Court that the following acts of bankruptcy have been committed within 6 months preceding the filing of the Application:

(a) Arres has ceased to meet its liabilities generally as they have become due;

And upon being satisfied that Arres has been duly served;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

1. Arres, a company incorporated and registered under the laws of the Province of Alberta and having an office in Calgary, in the Province of Alberta, be and is hereby adjudged bankrupt and a bankruptcy order is hereby made against Arres.
2. Alvarez & Marsal Canada Inc. in the Province of Alberta, has been appointed as trustee of the estate of the bankrupt, without the requirement to give security under the *Bankruptcy and Insolvency Act*.
3. Service of the Notice of the Hearing of this Application upon Arres is deemed good and sufficient.
4. The costs of and incidental to the within application and bankruptcy order shall be paid to the Applicant out of the assets of the bankrupt's estate after taxation of the accounts.

Dated at Calgary, Alberta this 26th day of July, 2017

"K.M. Eldsvik"