

COURT FILE NUMBER 2301-07385

COURT COURT OF KINGS BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, RSC 1985, c C-36, as amended

AND IN THE MATTER OF CYXTERA TECHNOLOGIES, INC.,
CYXTERA CANADA, LLC, CYXTERA COMMUNICATIONS
CANADA, ULC and CYXTERA CANADA TRS, ULC

APPLICANTS CYXTERA TECHNOLOGIES, INC., CYXTERA CANADA, LLC,
CYXTERA COMMUNICATIONS CANADA, ULC and
CYXTERA CANADA TRS, ULC

AFFIDAVIT OF SAMAH ZEINEDDINE

SWORN ON JULY 31, 2023

I, SAMAH ZEINEDDINE of the City of Calgary, in the Province of Alberta, **SWEAR THAT:**

1. I am a legal assistant employed by Gowling WLG (Canada) LLP ("Gowlings"), counsel for the applicants, Cyxtera Technologies, Inc., Cyxtera Canada, LLC, Cyxtera Communications Canada, ULC, and Cyxtera Canada TRS, ULC (the "Applicants") and, as such, have personal knowledge of the matters hereinafter deposed to, except where stated to be based on information and belief, in which case I believe the same to be true.
2. I am 18 years of age or older.
3. Attached hereto and marked as **Exhibit "A"** is a copy of the service list.
4. Attached hereto and marked as **Exhibit "B"** are copies of the service letter dated July 27, 2023.
5. On June 31, 2023 I served, via TitanFile Channel, the following documents:
 - i. a copy of the service letter to the service list (the "**Service Letter**"),
 - ii. the Notice of Application returnable July 31, 2023 at 9:00 a.m. (the "**Application**");
 - iii. the Affidavit of Eric Koza #3 Sworn July 27, 2023 (the "**Affidavit**"); and

- iv. the Brief of Law of the Foreign Representative dated July 27, 2023 (“**Brief of Law**”).

(collectively the “**Court Materials**”)

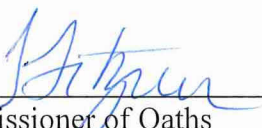
6. Attached hereto and marked as **Exhibit “C”** is a copy of the TitanFile Channel sent to the Service List Email Parties.
7. As of the date of my Affidavit I have not received any bounce back notifications.
8. I am advised by Ingrid Fitzner, legal assistant with Gowling and do verily believe that on July 27, 2023 she served a copy of Court Materials, including notice of the New Time (as defined below) on the following parties in the service list via registered mail:
- a) Hewlett-Packard financial services Canada Company to their mailing address, 5150 Spectrum Way Mississauga, ON L4W 5G1;
 - b) Ministry of The Attorney General (Ontario) to their mailing address McMurtry-Scott Building 720 Bay Street, 11th Floor Toronto, ON M7A 2S9 - Attention: Caroline Mulroney, Attorney General - Reference #M-2023-4969;
 - c) Deputy Attorney General – Ministry of Attorney General to their mailing address, PO Box 9290 STN Prov Govt, Victoria, BC V8W 9J7 – Attention: Attorney General;
 - d) The City of Vancouver to its mailing address 515 West 10th Avenue, Vancouver, BC V5Z 4A8;
 - e) Canada Revenue Agency (Ontario) – Sudbury Tax Centre to its mailing address of Post Office Box 20000, Station A, Sudbury, ON P3A 5C1;
 - f) Canada Revenue Agency (Quebec), Guy Favreau Complex, to their mailing address, 200 Rene-Levesque Boulevard W, Montreal, QC H2Z 1X4;
 - g) Canada Revenue Agency Shawinigan – Sud National Verification and Collections Centre to their mailing address, 4695 shawinigan-Sud Boulevard, Shawinigan, QC G9P 5H9; and
 - h) Canada Revenue Agency, Surrey National Verification A to their mailing address, 9755 King George Boulevard, Surrey, BC V3T 5E1.

(collectively, the “**Service List Registered Mail Parties**”).

9. Attached hereto and marked as **Exhibit “D”** are copies of the registered mail receipts for delivery to the Service List Registered Mail Parties.
10. Attached hereto and marked as **Exhibit “E”** are copies of the Canada Post Delivery Confirmations and/or service updates for the registered mail sent to the Service List Registered Mail Parties.

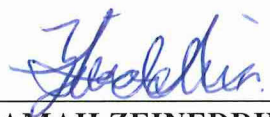
11. I am advised by Stephen Kroeger, associate with Gowling, and do verily believe that June 28, 2023 this Honourable Court rescheduled the subject Application to July 31, 2023 at 1:00 p.m. (the “**New Time**”).
12. I am advised by Mr. Kroeger, and do verily believe that on July 28, 2023 he served by email correspondence notice of the New Time and a copy of the updated webex instructions on the Service List Email Parties. Attached hereto and marked as **Exhibit “F”** is a copy of the July 28, 2023 email from Mr. Kroger to the Service List Email Parties.
13. I am advised by Mr. Kroeger, and do verily believe that on July 28, 2023 he served by email correspondence copies of the Court Materials, notice of the New Time and updated webex instructions on ArentFox Schiff. Attached hereto and marked as **Exhibit “G”** is a copy of the July 28, 2023 email from Mr. Kroger to ArentFox Schiff.
14. I am advised by Stephen Kroeger, associate with Gowling, and do verily believe that on July 28, 2023 he served by email correspondence copies of the Court Materials, notice of the New Time and a copy of the updated webex instructions on the Ministry of Attorney General (Ontario) (the “**Attorney General**”). Attached hereto and marked as **Exhibit “H”** is a copy of the July 28, 2023 email from Mr. Kroger to the Attorney General.

SWORN BEFORE ME on July 31, 2023 at
the City of Calgary, in the Province of Alberta



A Commissioner of Oaths
in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

} 

SAMAH ZEINEDDINE

This is Exhibit "A" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

COURT FILE NO.: 2301-07385

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PROCEEDINGS IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, RSC 1985, c C-36, as amended

AND IN THE MATTER OF CYXTERA
TECHNOLOGIES, INC., CYXTERA CANADA, LLC,
CYXTERA COMMUNICATIONS CANADA, ULC and
CYXTERA CANADA TRS, ULC

APPLICANTS CYXTERA TECHNOLOGIES, INC., CYXTERA
CANADA, LLC, CYXTERA COMMUNICATIONS
CANADA, ULC and CYXTERA CANADA TRS, ULC

GOWLING WLG (CANADA) LLP
MATTER NO. **Gowling WLG (Canada) LLP**
1600, 421 – 7th Avenue SW
Calgary, AB T2P 4K9
Attn: **Tom Cumming/Sam Gabor/Stephen Kroeger**

Phone: 403 298 1946
File No.:A171290

DOCUMENT: **SERVICE LIST - Last Updated July 19, 2023**

PARTY	RELATIONSHIP
Gowling WLG (Canada) LLP 1600, 421 7 th Avenue SW Calgary, AB T2P 4K9 Attention: Tom Cumming Phone: 403-298-1938 E-mail: tom.cumming@gowlingwlg.com Attention: Sam Gabor Phone: 403-298-1946 E-mail: sam.gabor@gowlingwlg.com	Canadian Counsel for Applicants

PARTY	RELATIONSHIP
Attention: Stephen Kroeger Phone: 403-298-1018 E-mail: stephen.kroeger@gowlingwlg.com	
KIRKLAND & ELLIS LLP KIRKLAND & ELLIS INTERNATIONAL LLP 601 Lexington Avenue New York, New York 10022 Telephone: (212) 446-4800 Facsimile: (212) 446-4900 Attention: Christopher Marcus, P.C. (pro hac vice pending) E-mail: christopher.marcus@kirkland.com Attention: Derek I. Hunter (pro hac vice pending) E-mail: derek.hunter@kirkland.com Attention: Oliver Pare E-mail: oliver.pare@kirkland.com	USA Counsel for the Applicants
COLE SCHOTZ P.C. Court Plaza North, 25 Main Street Hackensack, New Jersey 07601 Telephone: (201) 489-3000 Attention: Michael D. Sirota, Esq. E-mail: msirota@coleschotz.com Attention: Warren A. Usatine, Esq. E-mail: wusatine@coleschotz.com Attention: Felice R. Yudkin, Esq. E-mail: fyudkin@coleschotz.com	USA Co-Counsel for the Applicants
Goodmans LLP Bay Adelaide Centre – West Tower 333 Bay Street, Suite 3400 Toronto, ON M5H 2S7 Attention: Joe Pasquariello Phone: 416-597-4216 E-mail: jpasquariello@goodmans.ca Attention: Kyle Gerow Phone: 416-849-6934 E-mail: kgerow@goodmans.ca Attention: Brennan Caldwell Phone: 916-849-6986 Email: bcaldwell@goodmans.ca	Canadian Counsel the DIP Lenders

PARTY	RELATIONSHIP
Gibson, Dunn & Crutcher LLP 200 Park Avenue New York, NY 10166-0193 Attention: Scott Greenburg Phone: 212-351-5298 Fax: 212-716-0798 E-mail: sgreenberg@gibsondunn.com	USA Counsel to the DIP Lenders
Wilmington Savings Fund Society, FSB 500 Delaware Ave Wilmington, DE USA 19801 Attention: Pat Healy E-mail: phealy@wsfsbank.com Attention: Brenda Acuna E-mail: bacuna@wsfsbank.com	Administrative Agent for the DIP Lenders
ArentFox Schiff LLP 1301 Avenue of the Americas New York, NY 10019 Attention: Jeffrey Gleit E-mail: Jeffrey.Gleit@afslaw.com Attention: Matthew Bentley E-mail: matthew.bentley@afslaw.com <i>*Must be served directly</i>	Counsel to Wilmington Savings Fund Society, FSB
Davis Polk & Wardwell LLP 450 Lexington Avenue New York, NY 10017 Attention: Kenneth J. Steinberg Phone: 212-450 4566 E-mail: kenneth.steinberg@davispolk.com	Counsel to the Administrative Agent

PARTY	RELATIONSHIP
<p>Alvarez & Marsal Canada Inc. Bow Valley Square 4 Suite 1110, 250 6th Avenue SW Calgary, AB T2P 3H7</p> <p>Attention: Orest Konowalchuk Phone: 403-538-4736 E-mail: okonowalchuk@alvarezandmarsal.com</p> <p>Attention: Cassie Riglin Phone: 403-538 7519 E-mail: criglin@alvarezandmarsal.com</p> <p>Attention : Duncan MacRae, CPA, CA, CIRP, LIT Direct: +1 403 538 7514 E-mail: dmacrae@alvarezandmarsal.com</p>	<p>Information Officer</p>
<p>McMillan LLP TD Canada Trust Tower, Suite 1700 421 7th Avenue SW Calgary, AB T2P 4K9</p> <p>Attention: Adam Maerov Phone: 403-215-2752 E-mail: adam.maerov@mcmillan.ca</p> <p>Attention – Preet Saini Phone - 403.531.4716 Email - Preet.Saini@mcmillan.ca</p>	<p>Counsel for the Information Officer</p>
<p>AlixPartners, LLP 909 Third Avenue 30th Floor New York, NY 10022</p> <p>Attention: Eric S. Koza Phone: 212-561-4152 E-mail: ekoza@alixpartners.com</p> <p>Attention - Richard Robbins Email - rrobbins@alixpartners.com</p>	<p>Restructuring Advisor to Applicants</p>
<p>Guggenheim Partners 330 Madison Avenue New York, NY 10017</p> <p>Attention: Ronen Bojmel, Senior Managing Director - Investment Banking Phone: 212-377-4085 E-mail: ronen.bojmel@guggenheimpartners.com</p>	<p>Financial Advisor to Applicants</p>

PARTY	RELATIONSHIP
Citibank, N.A. Phone: 1615 Brett Road, Building III New Castle, DE 19720 Attention: Loan Administration Phone: 212-994-0847 E-mail: GLOriginOps@citigroup.com	Administrative Agent for First Lien Facility Lenders
Norton Rose Fulbright Canada LLP 222 Bay Street, Suite 3000, P.O. Box 53 Toronto, ON M5K 1E7 Attention: Noah Schein E-mail: noah.schein@nortonrosefulbright.com Attention: Arnold Cohen Email: arnold.cohen@nortonrosefulbright.com Attention: Evan Cobb Email: evan.cobb@nortonrosefulbright.com	Canadian Counsel to Citibank, N.A.
Davis Polk & Wardwell LLP 450 Lexington Avenue New York, NY 10017 Attention: Angela M. Libby Phone: 212-450-4433 E-mail: angela.libby@davispolk.com Attention: David Kratzer Phone: 212-450-4214 E-mail: david.kratzer@davispolk.com	USA Counsel to Citibank, N.A.
Norton Rose Fulbright Canada 400 3rd Avenue SW, Suite 3700 Calgary, AB T2P 4H2 Attention: Aaron Stephenson Phone: 403-267-8290 E-mail: aaron.stephenson@nortonrosefulbright.com	USA Counsel to Citibank, N.A.
Houlihan Lokey, Inc. 10250 Constellation Boulevard, 5th Floor Los Angeles, CA 90067 Attention: Saul E. Burian, Managing Director Phone: 212-497-4245 E-mail: SBurian@HL.com	Investment Banker to Citibank, N.A.
Davis Polk & Wardwell LLP 450 Lexington Avenue	Landlord for YYZ01 Property

PARTY	RELATIONSHIP
<p>New York, NY 10017</p> <p>Attention: Kenneth J. Steinberg Phone: 212-450 4566 E-mail: kenneth.steinberg@davispolk.com</p>	
<p>Stutzman, Bromberg, Esserman & Plifka, A Professional Corporation 2323 Bryan Street, Suite 2200 Dallas, TX 75201</p> <p>Attention: Noah K. Hansford Fax: 214-969-4999 E-mail: hansford@sbep-law.com</p>	<p>Counsel to Digital Realty Trust, L.P.</p>
<p>Neamsby Investments Inc. 7501 Keele Street, Suite 100 Concord, ON L4K 1Y2</p> <p>Attention: Wayne Chan E-mail: wchan@remingtongroupinc.com Fax: 905-326-7331</p>	<p>Landlord for the YYZ02 Property</p>
<p>Tidan Inc. 666 Sherbrooke st. West Suite 2300 Montréal, QC H3A 1E7</p> <p>Attention: Legal Phone: 514-845-6393 Fax: 514-845-8640 E-mail: legal@tidan.com</p>	<p>Landlord for the YUL01 Property</p>
<p>Lawson Lundell LLP Suite 1100 Brookfield Place 225-6th Avenue S.W. Calgary, Alberta T2P 1N2</p> <p>Attention: Alexis Teasdale Phone: 403-218-7564 E-mail: ateasdale@lawsonlundell.com</p>	<p>Counsel to Polaris Realty (Canada) Limited</p>
<p>Compagnie de services Financiers Hewlett – Packard Canada 5150 Spectrum Way Mississauga, ON L4W 5G1</p> <p>Attention: Legal E-mail: hpfscustomerservice@hpe.com</p>	<p>Personal Property Registrant against Cyxtera Communications Canada Inc.</p>
<p>Hewlett-Packard financial services Canada Company 5150 Spectrum Way Mississauga, ON L4W 5G1</p>	<p>Personal Property Registrant against Cyxtera Communications Canada Inc.</p>

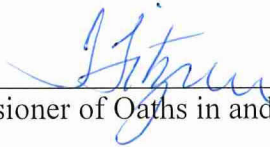
PARTY	RELATIONSHIP
<p>Liberty Commercial Finance 18302 Irvine Blvd., Suite 300 Tustin, CA 92780</p> <p>Attention: Legal E-mail: hello@wingspirecapital.com</p>	<p>Personal Property Registrant against Cyxtera Communications Canada Inc.</p>
<p>Ontario Ministry Of Finance 33 King St West, 6th Floor Oshawa, ON L1H 8H5</p> <p>Attention: Insolvency Unit Phone: 1-866-668-8297 E-mail: insolvency.unit@ontario.ca</p>	
<p>Attorney General of Canada Department of Justice Ontario Regional Officer, Tax Law Section 120 Adelaide Street West, Suite 400 Toronto, ON M5H 1T1</p> <p>Attention: Diane Winters Phone: 647-256-7459 Fax: 416-973-0810 E-mail: diane.winters@justice.gc.ca</p>	
<p>Ministry of The Attorney General (Ontario) McMurtry-Scott Building 720 Bay Street, 11th Floor Toronto, ON M7A 2S9</p> <p>Attention: Caroline Mulroney, Attorney General Phone: 416-326-2220 Fax: 416-326-4007 E-mail: attorneygeneral@ontario.ca</p> <p><i>*Must be served directly – Reference #M-2023-4969</i></p>	
<p>Deputy Attorney General Ministry of Attorney General PO Box 9290 Stn Prov Govt Victoria, BC V8W 9J7</p> <p>Attention: Attorney General</p>	

PARTY	RELATIONSHIP
Ministry of Justice and Solicitor General Legal Services 2 nd Floor, Peace Hills Trust Tower 10011 – 109 Street Edmonton, AB T5J 3S8 Attention: Legal Services Phone: 780-427-2711 Fax: 780-427-2789 E-mail: ministryofjustice@gov.ab.ca	
City of Vancouver 515 West 10th Avenue Vancouver, BC V5Z 4A8	
Canada Revenue Agency (Ontario) Sudbury Tax Centre Post Office Box 20000, Station A Sudbury, ON P3A 5C1 Fax: 705-671-3994 Fax: 855-276-1529	
Canada Revenue Agency (Québec) Sudbury Tax Centre Post Office Box 20000, Station A Sudbury ON P3A 5C1 Fax: 705-671-3994 Fax: 855-276-1529	
Canada Revenue Agency Shawinigan – Sud National Verification and Collections Centre 4695 Shawinigan-Sud Boulevard Shawinigan, QC G9P 5H9 Phone: 866-248-1576	Insolvency Intake Centre
Canada Revenue Agency Surrey National Verification and Collections Centre 9755 King George Boulevard Surrey, BC V3T 5E1 Phone: 866-891-7403	Insolvency Intake Centre

Service List Email Addresses

tom.cumming@gowlingwlg.com; sam.gabor@gowlingwlg.com; stephen.kroeger@gowlingwlg.com;
christopher.marcus@kirkland.com; derek.hunter@kirkland.com; oliver.pare@kirkland.com;
msirota@coleschotz.com; wusatine@coleschotz.com; fyudkin@coleschotz.com; jpasquariello@goodmans.ca;
kgerow@goodmans.ca; bcaldwell@goodmans.ca; sgreenberg@gibsondunn.com; phealy@wsfsbank.com;
bacuna@wsfsbank.com; Jeffrey.Gleit@afslaw.com; matthew.bentley@afslaw.com;
kenneth.steinberg@davispolk.com; okonowalchuk@alvarezandmarsal.com; criglin@alvarezandmarsal.com;
dmacrae@alvarezandmarsal.com; adam.maerov@mcmillan.ca; Preet.Saini@mcmillan.ca;
ekoza@alixpartners.com; rrobbins@alixpartners.com; ronen.bojmel@guggenheimpartners.com;
GLOriginationOps@citigroup.com; noah.schein@nortonrosefulbright.com;
arnold.cohen@nortonrosefulbright.com; evan.cobb@nortonrosefulbright.com; angela.libby@davispolk.com;
david.kratzer@davispolk.com; aaron.stephenson@nortonrosefulbright.com; SBurian@HL.com;
kenneth.steinberg@davispolk.com; hansford@sbep-law.com; wchan@remingtongroupinc.com;
legal@tidan.com; ateasdale@lawsonlundell.com; hpfscustomerservice@hpe.com; hello@wingspirecapital.com;
insolvency.unit@ontario.ca; diane.winters@justice.gc.ca; attorneygeneral@ontario.ca;
ministryofjustice@gov.ab.ca;

This is Exhibit "B" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

July 27, 2023

Via E-Mail, Registered Mail

Service List (Attached)

Stephen Kroeger
Direct +1 403 298 1018
stephen.kroeger@gowlingwlg.com
File no. A171290

Dear Sir/Mesdames:

**Re: In the Matter of Cyxtera Technologies, Inc. et al.
Application before the Honourable Justice D.B. Nixon
Tuesday, July 31, 2023 at 9:00 a.m. (MST) via Webex**

Further to the above noted matter, please find enclosed for service upon you the following filed documents:

1. Notice of Application returnable July 31, 2023 at 9:00 a.m.;
2. Affidavit of Eric Koza #3 sworn on July 27, 2023; and
3. Brief of Law.

Please note that due to size restrictions, we are providing only the body of the above noted documents to those parties being served by registered mail. In order to access full copies of the above, please contact Samah Zeineddine at samah.zeineddine@gowlingwlg.com or the undersigned to request access to our Titanfile Link.

Please also contact our office if your email address has not previously been provided to us for service so that we can serve you via email.

We trust that you will find the enclosed to be in order; however, should you have any questions or concerns please do not hesitate to contact me.

Sincerely,

Gowling WLG (Canada) LLP



Stephen Kroeger

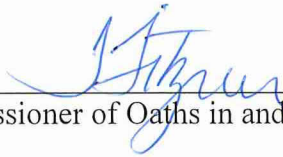
SK:sz
Encl.

Gowling WLG (Canada) LLP
Suite 1600, 421 7th Avenue SW
Calgary AB T2P 4K9 Canada

**T +1 403 298 1000
F +1 403 263 9193
gowlingwlg.com**

Gowling WLG (Canada) LLP is a member of Gowling WLG, an international law firm which consists of independent and autonomous entities providing services around the world. Our structure is explained in more detail at gowlingwlg.com/legal.

This is Exhibit "C" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

Conversation	Files	Contacts	History	Options
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SZ

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
Continue the discussion or add a file

Send

Attach Files

Attach Folder


Send notification


 2023 07 17 - Executed - Affidavit of Eric Koza - Application to Recognize Third Day Orders Execution Version [filed 2023 07 27].pdf (7.77 MB)
 2023 07 27 - Book of Authorities [filed 2023 07 27].pdf (1.40 MB)
 2023 07 27 - Service Letter.pdf (27 KB)
 Application for July 31 2023 Recognition Order with draft form of recognition order [filed 2023 07 27].pdf (459 KB)
 Brief of Law re Bar Date Order and Third Day Orders [filed 2023 07 27].pdf (196 KB)
 Updated 2023 07 27 - Cyxtera Service List(57854360.1).pdf (286 KB)

Good morning,

Further to the titanfile of July 12, 2023 serving the unfiled order of the Honourable Justice D.B. Nixon granted July 12, 2023 please find enclosed the proof of filing of the same. Please also find enclosed the Affidavit of Service of Kristy Delure filed June 12, 2023.

Thank you.

 2023 07 11 Affidavit of Service of K. Delure [filed 2023 07 12].pdf (120 KB)


 2023 07 12 - Order - Recognition of Foreign Order [filed 2023 07 12].pdf (87 KB)


Hello,

SZ

Please find attached Mr. Kroeger's letter to you of today's date, July 12, 2023.

Thank you.

 2023 - 07 - 12 - Service Letter -Unfiled Order(57593535,1).pdf (124 KB)

 Form of recognition order - July 12 2023 - FINAL + Signed_unfil(57589454,3).pdf (2.74 MB)

via Secure Send June 30, 2023 5:43 pm

KD

Good afternoon,

Please see the attached service correspondence on behalf of Tom, Cumming Sam Gabor and Stephen Kroeger.

Please note that we are serving unfiled copies at this time, with proof of filing to follow.

We trust you will find the attached to be in order; however, should you have any questions or concerns we will be happy to help you out.

Have a good weekend.

Kristy

(she/her)Kristy Delure

Legal Administrative Assistant

T +1 403 298 1843

kristy.delure@gowlingwlg.com

Assistant To: Thomas Cumming

T +1 403 298 1938

tom.cumming@gowlingwlg.com

Assistant To: Sam Gabor

T +1 403 298 1946

sam.gabor@gowlingwlg.com

Gowling WLG (Canada) LLP








Suite 1600, 421 7th Avenue SW

Calgary AB T2P 4K9

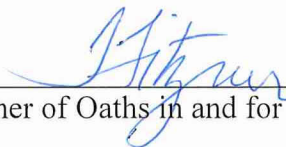
Canada

gowlingwlg.com

| 1,500+ legal professionals worldwideGowling WLG

-  03 - 2023 - 06 - 30 - Affidavit of E. Koza Sworn June 30, 2023 - FINAL.zip (119.45 MB)
-  2023 - 06 - 30 - Application for July 4 2023 Recognition Order with Draft Form of Order - Final (57428451).pdf (83 KB)
-  2023 - 06 - 30 - Letter to Service List re July 4, 2023 Application Documents.pdf (58 KB)
-  2023 - 06 - 30 - Affidavit of K. Delure Sworn June 30, 2023 - FINAL.pdf (7.87 MB)
-  2023 - 06 - 30 - Book of Authorities to Brief of Law re Bidding Procedures and Second Day Orders - FINAL (57373201).pdf (1.52 MB)
-  2023 - 06 - 30 - Brief of Law re Bidding Procedures and Second Day Orders FINAL (57416209).pdf (219 KB)
-  2023 - 06 - 30 -Service List.pdf (288 KB)

This is Exhibit "D" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

Canada Post Registered Mail Receipt

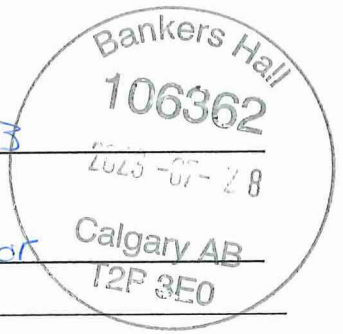
Sender:

Gowling WLG (Canada) LLP
Barristers & Solicitors
1600, 421 – 7th Avenue SW
Calgary, Alberta T2P 4K9

Date: July 27, 2023

Reference number:

A171290/S. Gabar



1.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To / Destinataire Name / Nom: <u>Ministry of Attorney General</u> Address / Adresse: <u>P.O. Box 9290 Stn. Prov. Govt</u> City / Prov. / Postal Code: <u>Victoria BC V8W 9J7</u>		FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON canadapost.ca or/ou postescanada.ca 1 888 550-6333 CPC Tracking Number / Numéro de repérage de la SCP: RN 750 699 774 CA		
Declared Value / Valeur déclarée: \$ <u>14.19</u>		33-086-584 (17-12)		

2.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To / Destinataire Name / Nom: <u>HP Financial Services Canada Co.</u> Address / Adresse: <u>5150 Spectrum Way</u> City / Prov. / Postal Code: <u>Mississauga ON L4W 5G1</u>		FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON canadapost.ca or/ou postescanada.ca 1 888 550-6333 CPC Tracking Number / Numéro de repérage de la SCP: RN 750 699 765 CA		
Declared Value / Valeur déclarée: \$ <u>14.19</u>		33-086-584 (17-12)		

3.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To / Destinataire Name / Nom: <u>City of Vancouver</u> Address / Adresse: <u>515 West 16th Avenue</u> City / Prov. / Postal Code: <u>Vancouver BC V5Z 4A8</u>		FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON canadapost.ca or/ou postescanada.ca 1 888 550-6333 CPC Tracking Number / Numéro de repérage de la SCP: RN 750 699 788 CA		
Declared Value / Valeur déclarée: \$ <u>14.19</u>		33-086-584 (17-12)		

4.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To / Destinataire Name / Nom: <u>Guy-Favreau Complex</u> Address / Adresse: <u>200 René-Lévesque Blvd. W.</u> City / Prov. / Postal Code: <u>Montreal QC H2Z 1X4</u>		FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON canadapost.ca or/ou postescanada.ca 1 888 550-6333 CPC Tracking Number / Numéro de repérage de la SCP: RN 750 699 791 CA		
Declared Value / Valeur déclarée: \$ <u>14.19</u>		33-086-584 (17-12)		

5.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To / Destinataire Name / Nom: <u>Canada Revenue Agency</u> Address / Adresse: <u>4695 Shawinigan-Sud Blvd.</u> City / Prov. / Postal Code: <u>Shawinigan QC G9P 5H9</u>		FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON canadapost.ca or/ou postescanada.ca 1 888 550-6333 CPC Tracking Number / Numéro de repérage de la SCP: RN 750 699 805 CA		
Declared Value / Valeur déclarée: \$ <u>14.19</u>		33-086-584 (17-12)		

6.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To / Destinataire Name / Nom: <u>Canada Revenue Agency</u> Address / Adresse: <u>9755 King George Boulevard</u> City / Prov. / Postal Code: <u>Surrey BC V3T 5J1</u>		FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON canadapost.ca or/ou postescanada.ca 1 888 550-6333 CPC Tracking Number / Numéro de repérage de la SCP: RN 750 699 814 CA		
Declared Value / Valeur déclarée: \$ <u>14.19</u>		33-086-584 (17-12)		

Canada Post Registered Mail Receipt

Sender:

Gowling WLG (Canada) LLP
Barristers & Solicitors
1600, 421 – 7th Avenue SW
Calgary, Alberta T2P 4K9

Date: July 27, 2023

Reference number:

A171290 / S. Gabor

1.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To: <u>Ann. Caroline Maloney</u>				
Name: <u>Ministry of the Attorney General (Ontario)</u>				
Address: <u>720 Bay Street, 11th Floor</u>				
City / Prov. / Postal Code: <u>Toronto ON M7A 2S9</u>				
Declared Value: <u>\$ 14.19</u>		CPC Tracking Number: <u>1 888 550-6333</u>		
Value déclarée: <u>\$ 14.19</u>		Numéro de repérage de la SCP: <u>RN 750 699 828 CA</u>		
33-086-584 (17-12)				

2.)

		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	
To: <u>Canada Revenue Agency (Ontario)</u>				
Name: <u>Sudbury Tax Centre</u>				
Address: <u>P.O. Box 20000, Station A</u>				
City / Prov. / Postal Code: <u>Sudbury ON P3A 5C1</u>				
Declared Value: <u>\$ 14.19</u>		CPC Tracking Number: <u>1 888 550-6333</u>		
Value déclarée: <u>\$ 14.19</u>		Numéro de repérage de la SCP: <u>RN 750 699 831 CA</u>		
33-086-584 (17-12)				

3.)

4.)

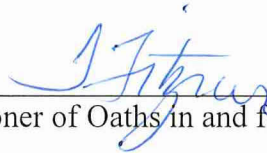


5.)

6.)



This is Exhibit "E" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

Tracking number:

RN750699774CA

Expected delivery: Thursday, Aug. 3 by end of day

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 28	6:47 pm	CALGARY,AB	Item processed	
July 28	4:03 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

RN750699788CA

Expected delivery: Tomorrow by end of day

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 30	3:25 pm	RICHMOND,BC	Item processed	
July 28	6:47 pm	CALGARY,AB	Item processed	
July 28	4:03 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

RN750699805CA

Expected delivery: Thursday, Aug. 3 by end of day

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 28	6:46 pm	CALGARY,AB	Item processed	
July 28	4:03 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

RN750699765CA

Expected delivery: Today by end of day

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 31	6:16 am	MISSISSAUGA,ON	Item processed	
July 31	5:26 am	MISSISSAUGA,ON	Item departed	
July 31	1:57 am	MISSISSAUGA,ON	Item processed	
July 28	6:46 pm	CALGARY,AB	Item processed	
July 28	4:03 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

RN750699791CA

Delivered

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 31	9:37 am		Signature available	
July 31	9:37 am	MONTREAL, QC	Delivered	
July 31	8:17 am	MONTREAL, QC	Item out for delivery	
July 31	6:14 am	MONTREAL, QC	Item processed	
July 30	11:21 am	MONTREAL, QC	Item processed	
July 28	6:46 pm	CALGARY, AB	Item processed	
July 28	4:03 pm	CALGARY, AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

RN750699814CA

Expected delivery: Tomorrow by end of day

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 30	3:25 pm	RICHMOND,BC	Item processed	
July 28	6:47 pm	CALGARY,AB	Item processed	
July 28	4:03 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

RN750699828CA

Delivered

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 31	9:23 am		Signature available	
July 31	9:23 am	MISSISSAUGA,ON	Delivered	
July 31	8:49 am	NORTH YORK,ON	Item available for pick-up	
July 31	8:44 am	NORTH YORK,ON	Out for delivery	
July 31	7:06 am	NORTH YORK,ON	Item processed	
July 31	1:57 am	MISSISSAUGA,ON	Item processed	
July 28	6:47 pm	CALGARY,AB	Item processed	
July 28	3:57 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

RN750699831CA

Expected delivery: Thursday, Aug. 3 by end of day

Shipping service: Registered Mail

Delivery standard: Aug. 3

Latest updates

Date	Time	Location	Progress	Post office
July 31	2:02 am	MISSISSAUGA,ON	Item processed	
July 28	6:47 pm	CALGARY,AB	Item processed	
July 28	3:57 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options

Signature Required

Tracking number:

ET025789920CA

Expected delivery: Friday, Aug. 4

Shipping service: Xpresspost USA

Reference number 1: A171290

Delivery standard: Aug. 4

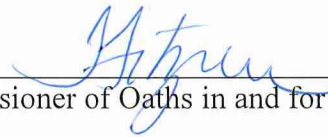
Latest updates

Date	Time	Location	Progress	Post office
July 30	11:24 am	RICHMOND,BC	International item being forwarded to destination country	
July 29	2:20 pm	RICHMOND,BC	Item arrived	
July 28	10:59 pm	CALGARY,AB	Item departed	
July 28	6:47 pm	CALGARY,AB	Item processed	
July 28	4:03 pm	CALGARY,AB	Item accepted at the Post Office	
July 28			Electronic information submitted by shipper	

Features and options

Signature Required

This is Exhibit "F" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

Zeineddine, Samah

From: Kroeger, Stephen
Sent: July 28, 2023 9:30 AM
Cc: Zeineddine, Samah; Fitzner, Ingrid
Subject: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT - Jul 31, 2023 01:00 PM - NIXON (D.B.), J - Confirmed

Good morning,

Further to the above noted matter and the service effected yesterday please be advised that due to unforeseen circumstances the Court has rescheduled the application from July 31, 2023 at 9:00am MST to **1:00pm MST**.

Please also be advised that the Webex instructions included in the Notice of Application remain the same; however, for ease of reference the link can also be found here: <https://albertacourts.webex.com/meet/virtual.courtroom02>.

If you have any questions, please contact me.

Thank you,

Stephen Kroeger
Associate
T +1 403 298 1018
stephen.kroeger@gowlingwlg.com

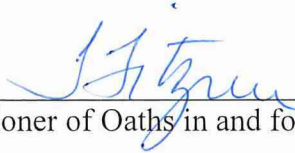


Gowling WLG (Canada) LLP
Suite 1600, 421 7th Avenue SW
Calgary AB T2P 4K9
Canada



gowlingwlg.com

This is Exhibit "G" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

Zeineddine, Samah

From: Kroeger, Stephen
Sent: July 28, 2023 9:38 AM
To: 'Bentley, Matthew R.'
Cc: 'Gleit, Jeffrey R.'; Delure, Kristy; Zeineddine, Samah
Subject: RE: In the Matter of Cyxtera Technologies, Inc. et. al.
Attachments: Application for July 31 2023 Recognition Order with draft form of recognition order [filed 2023 07 27].pdf; 2023 07 17 - Executed - Affidavit of Eric Koza - Application to Recognize Third Day Orders Execution Version [filed 2023 07 27].pdf; Brief of Law re Bar Date Order and Third Day Orders [filed 2023 07 27].pdf; 2023 07 27 - Book of Authorities [filed 2023 07 27].pdf

Hi Matthew,

Further to the above noted matter, attached are the documents served via titanfile. Notwithstanding the time listed on the notice of application, the court has rescheduled the application from 9:00am MST to 1:00pm MST. The webex link remains the same.

If you have any questions please let me know.

Thanks,

Stephen Kroeger
Associate
T +1 403 298 1018
stephen.kroeger@gowlingwlg.com

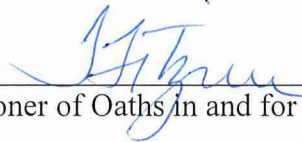


From: Kroeger, Stephen
Sent: July 13, 2023 10:21 AM
To: Bentley, Matthew R. <matthew.bentley@afslaw.com>
Cc: Gleit, Jeffrey R. <jeffrey.gleit@afslaw.com>; Delure, Kristy <Kristy.Delure@ca.gowlingwlg.com>; Zeineddine, Samah <Samah.Zeineddine@ca.gowlingwlg.com>
Subject: RE: In the Matter of Cyxtera Technologies, Inc. et. al.

35

Good Morning Matthew,

This is Exhibit "H" referred to in the Affidavit of
Samah Zeineddine sworn before me this 31st day of July, 2023



Commissioner of Oaths in and for the Province of Alberta

INGRID FITZNER
A Commissioner for Oaths in and for
the Province of Alberta
My Commission Expires January 28, 2025

Zeineddine, Samah

From: Kroeger, Stephen
Sent: July 28, 2023 9:39 AM
To: 'Ministry of the Attorney General'
Cc: Zeineddine, Samah; Delure, Kristy
Subject: RE: Ministry of the Attorney General response - M-2023-4969
Attachments: Application for July 31 2023 Recognition Order with draft form of recognition order [filed 2023 07 27].pdf; 2023 07 17 - Executed - Affidavit of Eric Koza - Application to Recognize Third Day Orders Execution Version [filed 2023 07 27].pdf; Brief of Law re Bar Date Order and Third Day Orders [filed 2023 07 27].pdf; 2023 07 27 - Book of Authorities [filed 2023 07 27].pdf

Good morning,

Further to the above noted matter, attached are the documents served via titanfile. Notwithstanding the time listed on the notice of application, the court has rescheduled the application from 9:00am MST to 1:00pm MST. The webex link remains the same.

If you have any questions please let me know.

Thanks,

Stephen Kroeger
Associate
T +1 403 298 1018
stephen.kroeger@gowlingwlg.com



From: Kroeger, Stephen
Sent: July 13, 2023 10:22 AM
To: 'Ministry of the Attorney General' <attorneygeneral@ontario.ca>
Cc: Zeineddine, Samah <Samah.Zeineddine@ca.gowlingwlg.com>; Delure, Kristy <Kristy.Delure@ca.gowlingwlg.com>
Subject: RE: Ministry of the Attorney General response - M-2023-4969

³⁷ Good morning,