

FORM 27
[RULE 6.3]

COURT FILE NUMBER 2401-15969

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

IN THE MATTER OF THE COMPANIES ACT, RSC 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF ANGUS A2A GP INC., ANGUS MANOR PARK A2A GP INC., ANGUS MANOR PARK A2A CAPITAL CORP., ANGUS MANOR PARK A2A DEVELOPMENTS INC., HILLS OF WINDRIDGE A2A GP INC., WINDRIDGE A2A DEVELOPMENTS, LLC, FOSSIL CREEK A2A GP INC., FOSSIL CREEK A2A DEVELOPMENTS, LLC, A2A DEVELOPMENTS INC., SERENE COUNTRY HOMES (CANADA) INC. and A2A CAPITAL SERVICES CANADA INC.

DOCUMENT

APPLICATION BY FOSSIL CREEK A2A DEVELOPMENTS, LLC AND WINDRIDGE A2A DEVELOPMENTS, LLC

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

BENNETT JONES LLP

Barristers and Solicitors
855 – 2nd Street SW
Calgary, Alberta T2P 4K7

Attention: Kelsey Meyer / Chyna Brown

Telephone No.: 403-298-3323 / 3244

Email: meyerk@bennettjones.com / brownc@bennettjones.com

Fax No.: 403-265-7219

Client File No.: 98939-1

NOTICE TO RESPONDENTS: 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 master/judge.

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

Date: Thursday, October 29, 2025
Time: 2:00 p.m.
Where: Calgary Courts Centre, 601-5 Street SW, Calgary, AB T2P 5P7

Before Whom: The Honourable Justice C.M. Jones

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

Remedy claimed or sought:

1. The Applicants, Fossil Creek A2A Developments, LLC (**"Fossil Creek LLC"**) and Windridge A2A Developments, LLC (**"Windridge LLC"**) and, together with Fossil Creek LLC, the **"Texas LLCs"**) seek an order in substantially the form attached hereto as **Schedule "1"** for the following:
 - (a) abridging the time for service of this application as necessary, and deeming service thereof to be good and sufficient;
 - (b) terminating the proceedings pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985 c C-36, as amended (the **"CCAA"**) in relation to the Texas LLCs (the **"CCAA Proceedings"**);
 - (c) discharging the Monitor in its capacity as Monitor of the Texas LLCs;
 - (d) granting costs in favour of the Texas LLCs;
 - (e) such further and other relief as this Honourable Court deems appropriate.

Grounds for making this application:

2. On November 14, 2024, this Honourable Court issued an order (the **"Initial Order"**) granting expanded powers to a court-appointed monitor and a stay of proceedings over the the Texas LLCs, Hills of Windridge A2A GP Inc., Fossil Creek A2A GP Inc. (collectively, the **"WFC Entities"**), Angus A2A GP Inc., Angus Manor Park A2A Capital Corp., Angus Manor Park A2A Developments Inc., A2A Developments Inc., Serene Country Homes (Canada) Inc. and A2A Capital Services Canada Inc. (collectively, and including the WFC Entities, the **"CCAA Respondents"**).
3. On November 21, 2024, the CCAA Respondents filed an application to set aside the CCAA proceedings. That application was ultimately adjourned to January 17, 2025.

4. On November 25, 2024, this Honourable Court granted an amended and restated initial order (the "**ARIO**") under the CCAA, among other things, extending the stay period for a limited time to December 18, 2024, and for the limited purpose of gathering information to be provided to the Court.
5. The stay of proceedings granted pursuant to the Initial Order and ARIO was extended from time to time. It currently extends to October 31, 2025.
6. On January 29, 2025, having heard the application of the CCAA Respondents to set aside the CCAA proceedings on January 17, 2025, the Honourable Justice Feasby released his decision (the "**Decision**") dismissing the CCAA Respondents' application, but also directing the Monitor to, within 21 days of the Decision, provide this Court with a reasonable plan for gaining control of the Texas Lands and the proceeds of the Fossil Creek Sale and the Water District Sale, as described in the Decision (the "**Texas Plan**"). If the Texas Plan was not provided within 21 days and subsequently approved by this Court, the CCAA proceedings were to terminate as against the WFC Entities, including the Texas LLCs.
7. On March 5, 2025, the Honourable Justice Campbell granted an order approving the Texas Plan provided by the Monitor.
8. Pursuant to the Decision, and in light of the approval of the Texas Plan by Justice Campbell and the absence of any material progress in advancing the Texas Plan since March 2025, the Initial Order and ARIO should now be vacated and the CCAA proceedings terminated as they relate to the Texas LLCs.
9. The CCAA is a remedial statute intended to facilitate restructuring, not to perpetuate proceedings indefinitely in the absence of active or meaningful progress toward an approved plan.
10. Despite the approval of the Texas Plan, no substantive actions or efforts have been undertaken to advance its implementation.

11. Such further and other grounds as counsel may advise and this Honourable Court considers just and appropriate under the circumstances.

Material or evidence to be relied on:

12. The previous reports of the Monitor, filed;
13. Affidavit of Allan Lind, filed October 16, 2025;
14. The pleadings filed in the CCAA Proceedings; and
15. Such further and other material as counsel may advise and this Honourable Court may permit.

Applicable rules:

16. The *Alberta Rules of Court*, AR 124/2010; and
17. Such further and other rules as counsel may advise.

Applicable Acts and regulations:

18. The *Companies' Creditors Arrangement Act*, RSC 1985 c C-36, as amended.
19. Such further and other acts and regulations as counsel may advise.

Any irregularity complained of or objection relied on:

20. None.

How the application is proposed to be heard or considered:

21. This application is proposed to be heard by the Honourable Justice C. M. Jones on the Commercial List, as scheduled through the Commercial List Coordinator.

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 at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.

CLERK'S STAMP

SCHEDULE "1"

COURT FILE NUMBER 2401-15969

COURT COURT OF KING'S 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 A PLAN OF COMPROMISE OR
ARRANGEMENT OF ANGUS A2A GP INC., ANGUS
MANOR PARK A2A GP INC., ANGUS MANOR PARK A2A
CAPITAL CORP., ANGUS MANOR PARK A2A
DEVELOPMENTS INC., HILLS OF WINDRIDGE A2A GP
INC., WINDRIDGE A2A DEVELOPMENTS, LLC, FOSSIL
CREEK A2A GP INC., FOSSIL CREEK A2A
DEVELOPMENTS, LLC, A2A DEVELOPMENTS INC.,
SERENE COUNTRY HOMES (CANADA) INC. and A2A
CAPITAL SERVICES CANADA INC.

DOCUMENT **ORDER (CCAA TERMINATION)**

ADDRESS FOR SERVICE AND **BENNETT JONES LLP**
CONTACT INFORMATION OF Barristers and Solicitors
PARTY FILING THIS 855 – 2nd Street SW
DOCUMENT Calgary, Alberta T2P 4K7

Attention: Kelsey Meyer / Chyna Brown
Telephone No.: 403-298-3323 / 3244
Email: meyerk@bennettjones.com / brownc@bennettjones.com
Fax No.: 403-265-7219
Client File No.: 98939-1

**DATE ON WHICH ORDER WAS
PRONOUNCED:** **October 29, 2025**

LOCATION OF HEARING OR TRIAL: **Calgary Courts Centre**

**NAME OF MASTER/JUDGE
WHO MADE THIS ORDER:** **The Honourable Justice C. M. Jones**

UPON the application of Fossil Creek A2A Developments, LLC (“**Fossil Creek LLC**”) and Windridge A2A Developments, LLC (“**Windridge LLC**” and, collectively, the “**Texas LLCs**”), for an Order pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36 as amended (the “**CCAA**”); AND UPON having read the application of the Texas LLCs to terminate the CCAA proceedings against them filed October 17, 2025, and the Affidavit of Allan Lind, filed October 16, 2025; AND UPON hearing from counsel for the Texas LLCs, the court-appointed Monitor in these CCAA proceedings, Alvarez & Marsal Canada Inc., and from any other interested parties; AND UPON being satisfied that it is appropriate to do so;

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE AND DEFINITIONS

1. The time for service of the notice of application for this Order is hereby abridged and is deemed good and sufficient.
2. All capitalized terms used and not otherwise defined herein shall have the meaning ascribed thereto in the Affidavit of Allan Lind sworn October 16, 2025 in these proceedings (the “**CCAA Proceedings**”).

TERMINATION OF CCAA PROCEEDINGS

3. The CCAA Proceedings with respect to the Texas LLCs shall be terminated without any other act or formality at the time that this Order is granted (the “**CCAA Termination Time**”).
4. The CCAA Proceedings and the Stay Period (as defined in the Initial Order and as amended from time to time) as against the Texas LLCs are hereby terminated:
 - (a) notwithstanding the termination of the CCAA Proceedings, except as expressly provided in this CCAA Termination Order, all Orders issued in the CCAA Proceedings shall continue to be in full force and effect; and
 - (b) nothing in this CCAA Termination Order shall diminish or alter the rights or obligations of any person arising under the Initial Order which had vested or accrued prior to the granting of this CCAA Termination Order.

5. No action or other proceeding shall be commenced against the Texas LLCs in any way arising from or related to the CCAA Proceedings, except with prior leave of this Court on written notice to the Texas LLCs, and upon such terms as this Court may direct.

DISCHARGE OF THE MONITOR

6. Effective at the CCAA Termination Time, Alvarez & Marsal Canada Inc. shall be and is hereby discharged from its duties as the Monitor of the Texas LLCs and shall have no further duties, obligations or responsibilities as Monitor from and after the CCAA Termination Time.

COSTS

7. Costs of the CCAA Proceedings shall be awarded in favour of the Texas LLCs as against the Monitor and _____ in the amount of CDN \$ _____, payable forthwith.

SERVICE AND NOTICE PROTOCOL

8. This Order shall be served upon those parties listed on the Service List by ordinary mail, courier, or electronic transmission. Service to be deemed effected by the next business day following transmission or delivery of such documents.

9. The Monitor shall post a copy of this Order to the Monitor's Website for these proceedings: www.alvarezandmarsal.com/a2a.

10. Service of this Order to any other party is hereby dispensed with.

Justice of the Court of King's Bench of Alberta