

COURT FILE NUMBER

2201-03735

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

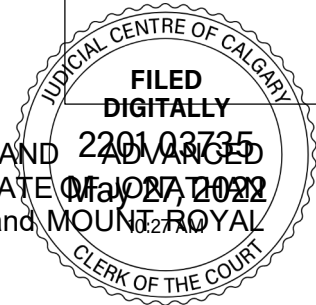
PLAINTIFF

THE BANK OF MONTREAL

DEFENDANTS

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

Clerk's Stamp



DOCUMENT

ORDER

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT:

McCarthy Tétrault LLP
4000, 421 – 7th Avenue SW
Calgary, Alberta T2P 4K9
Attention: Walker W. MacLeod
Tel: 403-260-3710
Fax: 403-260-3501
Email: wmacleod@mccarthy.ca

DATE ON WHICH ORDER WAS PRONOUNCED:

May 26, 2022

LOCATION OF HEARING OR TRIAL:

Edmonton, Alberta

NAME OF JUDGE WHO MADE THIS ORDER:

Honourable Justice K. Feth

KSF **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 Affidavit of Service of Katie Doran, sworn on May 26, 2022 (the "**Service Affidavit**"), filed; **AND UPON** hearing counsel for the Receiver and for any other parties who may be present; **AND UPON HEARING** from Grace Yan, self-representing, who did not oppose, and no one appearing for Vanovermeire Realty Inc.; ✓

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The time for service of the Application and the First Receiver's Report is abridged, the Application is properly returnable today, service of the Application and the First Receiver's Report on the service list, in the manner described in the Service Affidavit, is good and sufficient, and no other 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 or the First Receiver's Report.

2. Ms. Grace Yan ("**Ms. Yan**") and Vanovermeire Realty Inc. ("**Vanovermeire**") shall respond to inquires made by the Receiver in respect of the Multiple Listing Service ("**MLS**") property identified as "123 Medical" with MLS listing number A1216384 (the "**MLS Listing**") within 24 hours of the Receiver making such inquiry. Each of Ms. Yan and Vanovermeire are hereby granted leave to apply to amend, modify or vary this Order on a minimum of five (5) days notice to all interested persons.
3. The Receiver's application for costs of this application is adjourned *sine die*. In the event that the Receiver brings an application that the act of authorizing or posting the MLS Listing constituted a breach of the Receivership Order by any person such application shall be heard at the same time as the Receiver's application for costs.
4. Service of this Order shall be deemed good and sufficient by:
 - (a) Serving same on:
 - (i) the persons listed on the Service List created in these proceedings;
 - (ii) any other person served with notice of the Application for this Order;
 - (iii) any other parties attending or represented at the Application for this Order;and
 - (b) posting a copy of this Order on the Receiver's website at <https://www.alvarezandmarsal.com/IWAAL>and service on any other person is hereby dispensed with.
5. Service of this Order may be effected by facsimile, electronic mail, personal delivery, or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.

- KSF 6. [✓] 9.4(2)(c) [✓]
Rule ~~9.2(2)~~ of the *Alberta Rules of Court* be and is hereby invoked in respect of Ms. Yan and Ms. Yan shall not be required to authorize or approve this Order.



Justice of the Court of Queen's Bench of Alberta

APPROVED AS TO FORM AND CONTENT:

BURNET, DUCKWORTH & PALMER LLP

Per: _____


Ryan Algar
Counsel to Bank of Montreal

MILLARS LAWYERS

Per: _____

Madison Steenson
Counsel to Wanda Lee

Justice of the Court of Queen's Bench of Alberta

APPROVED AS TO FORM AND CONTENT:


BURNET, DUCKWORTH & PALMER LLP

Per: _____

Ryan Algar
Counsel to Bank of Montreal

MILLARS LAWYERS

Per: _____


Madison Steenson
Counsel to Wanda Lee