

COURT OF APPEAL OF ALBERTA

COURT OF APPEAL FILE NUMBER: 2101-0085AC
TRIAL COURT FILE NUMBER: 25-2332583
25-2332610
25-2335351
REGISTRY OFFICE: CALGARY
APPLICANT: ALVAREZ & MARSAL CANADA INC. in
its capacity as the Court-appointed receiver
and manager of MANITOK ENERGY INC.



STATUS ON APPEAL: APPELLANT
RESPONDENTS: PRENTICE CREEK CONTRACTING LTD.,
RIVERSIDE FUELS LTD. and ALBERTA
ENERGY REGULATOR

STATUS ON APPEAL: RESPONDENTS
INTERVENORS: STETTLER COUNTY, WOODLANDS
COUNTY and ORPHAN WELL
ASSOCIATION

DOCUMENT **JUDGMENT**

APPELLANT'S ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF PARTY FILING THIS
DOCUMENT **Norton Rose Fulbright Canada LLP**
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Howard A. Gorman Q.C. / D. Aaron Stephenson / Meghan L.
Parker

Counsel for the Applicant, the Receiver (File # 1001023920)

DATE JUDGMENT WAS PRONOUNCED: March 30, 2022

LOCATION OF HEARING: Calgary, Alberta (via WebEx)

NAME OF JUDGES WHO GRANTED ORDER: Mr. Justice F. Slatter
Madam Justice R. Khullar
Madam Justice J. Antonio

UPON THE HEARING OF APPEAL 2101-0085AC (the **Appeal**) on March 10, 2022, from the order of Madam Justice B.C. Romaine, granted and filed on March 24, 2021 (the **Decision**);

AND WHEREAS the Decision related to the holdbacks established pursuant to paragraphs 12 (a) and (b) of the sale approval and vesting order of Madam Justice B.E.C. Romaine, granted and filed on January 18, 2019 (the **Holdbacks**);

AND UPON HEARING THE APPLICATION of the Appellant, Alvarez & Marsal Canada Inc., in its capacity as the Court-appointed receiver and manager of Manitok Energy Inc. (the **Receiver**) seeking permission to appeal the Decision;

AND UPON HAVING REVIEWED the written materials filed in the Appeal;

AND UPON HEARING the submissions of counsel for the Appellant; the Respondents, Prentice Creek Contracting Ltd., Riverside Fuels Ltd. and Alberta Energy Regulator; and the Intervenors, Stettler County, Woodlands County and Orphan Well Association;

IT IS HEREBY ORDERED AND ADJUDGED THAT:

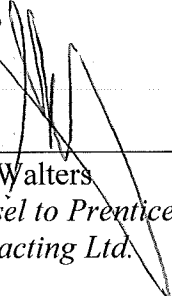
- 1 The Appeal is allowed and the Decision is set aside.
- 2 The Holdbacks shall be released to become general receivership estate funds.
- 3 This Order may be approved in counterpart and by electronic transmission.

for: 
Registrar, Court of Appeal

CONSENTED as to Form and Content:

Altalaw LLP

Per:


Glyn Walters
Counsel to Prentice Creek
Contracting Ltd.

Hamilton Baldwin Law

Per:

Garrett SE Hamilton
Counsel to Riverside Fuels Ltd.

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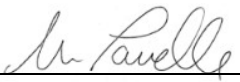
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*Counsel to Prentice Creek
Contracting Ltd.*

Hamilton Baldwin Law

Per: 
Garrett SE Hamilton
Counsel to Riverside Fuels Ltd.

Alberta Energy Regulator

Per: 

Maria Lavelle
Counsel to Alberta Energy Regulator

Borden Ladner Gervais LLP

Per: _____
Robyn Gurofsky
*Counsel to the Orphan Well
Association*

Brownlee LLP

Per: _____
Greg Plester
*Counsel to Stettler County and
Woodlands County*


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