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2001-09142

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

APPLICANTS

GURPREET LAIL-DHALIWAL AND JASPREET LAIL

RESPONDENTS

MURAD TEJPAR and MAHMOOD TEJPAR

DOCUMENT

**ORDER FOR FINAL DISTRIBUTION, APPROVAL OF
REFEREE'S FEES AND DISBURSEMENTS, APPROVAL OF
REFEREE'S ACTIVITIES AND DISCHARGE OF REFEREE**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF PARTY
FILING THIS DOCUMENT

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File Ref.: 99766/18

DATE ON WHICH ORDER WAS PRONOUNCED:

May 20, 2022

LOCATION WHERE ORDER WAS PRONOUNCED:

Calgary Courts Centre, via Webex

NAME OF JUSTICE WHO MADE THIS ORDER:

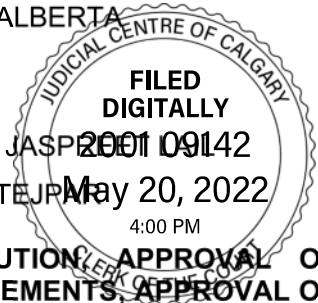
The Honourable Justice G.A. Campbell

UPON THE APPLICATION by Alvarez & Marsal Canada Inc, in its capacity as Court-appointed referee (the "**Referee**") of the undertaking, property and assets of 1178929 Alberta Ltd. (the "**Debtor**") for an Order for the final distribution of proceeds, approval of the Referee's fees and disbursements, approval of the Referee's activities and the discharge of the Referee, among other things;

AND UPON having read the Application and the First Report to the Court submitted by the Referee dated May 5, 2022 (the "**First Report**");

AND UPON HEARING the submissions of counsel for the Referee, and any other parties in attendance at the Application;

AND UPON being satisfied that it is appropriate to do so;



IT IS HEREBY ORDERED AND DECLARED THAT:

INTERPRETATION

1. Capitalized terms used herein that are not otherwise defined have the meanings given to them in the First Report.

SERVICE

2. Service of notice of this Application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this Application, and time for service of this Application is abridged to that actually given.

THE 101SK RECEIVABLE

3. Leland Kimpinski LLP is directed to remit to the Referee the 101SK Receivable, being \$163,522.74, from the funds it currently holds in trust from the sale of the 101SK Property, which the Referee shall deposit into the Post Refereeship Accounts (as defined in the Referee Order).

ACCOUNTS & ACTIVITIES OF REFEREE

4. The Referee's accounts for fees and disbursements, as set out in the First Report are hereby approved without the necessity of a formal passing of its accounts.
5. The accounts of the Referee's legal counsel Blake, Cassels & Graydon LLP, for its fees and disbursements, as set out in the First Report are hereby approved without the necessity of a formal assessment of its accounts.
6. The Referee's activities as set out in the First Report and the Final Statement of Receipts and Disbursements therein are hereby ratified and approved.
7. The estimated fees of the Referee and its legal counsel to complete these referee proceedings, as set out in the First Report, are hereby approved without the necessity of a formal passing of accounts.

FINAL DISTRIBUTIONS

8. Any Claims that may exist that were not submitted in accordance with the Claims Process are hereby forever barred, estopped and extinguished.
9. The Referee is authorized and directed to make distributions to Claimants based on the Proposed Percentages as set out in the First Report, subject to the Referee paying any expenses required to complete these proceedings, as described in the First Report.
10. The Referee is hereby authorized and directed to hold back \$15,750.00 (the "**Holdback**") of the funds available for distribution, or such other amount as may be necessary, for professional fees associated with attending to the final administrative matters of these referee proceedings.
11. If there are amounts remaining of the Holdback upon the completion of all final matters of the referee proceedings, the Referee is authorized and directed to distribute those funds, if any, to the Claimants based on the Proposed Percentages.

DISCHARGE

12. On the evidence before the Court, the Referee has satisfied its obligations under and pursuant to the terms of the Referee Order up to and including the date hereof, and the Referee shall not be liable for any act or omission on its part including, without limitation, any act or omission pertaining to the discharge of its duties in the within proceedings, save and except for any liability arising out of any fraud, gross negligence or willful misconduct on the part of the Referee, or with leave of the Court. Subject to the foregoing, any claims against the Referee in connection with the performance of its duties are hereby stayed, extinguished and forever barred.
13. No action or other proceedings shall be commenced against the Referee in any way arising from or related to its capacity or conduct as Referee, except with prior leave of this Court on notice to the Referee, and upon such terms as this Court may direct.
14. Upon the Referee filing with the Clerk of the Court a completion certificate, signed by a Senior Vice President employed by the Referee's office confirming that the administration of the Referee's mandate has been completed in the manner identified in the First Report, then the Referee shall be discharged as Referee of the Debtor, provided however, that notwithstanding its discharge herein (a) the Referee shall remain Referee for the

performance of such incidental duties as may be required to complete the administration of the Order herein; and (b) the Referee shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Referee in its capacity as Referee.

GENERAL

15. The Referee is authorized and directed to return the books and records of the Debtor to its former directors and officers.
16. This Order must be served only upon those interested parties attending or represented at the within application and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
17. Costs of the Referee are to be paid out of the proceeds of sale of the assets of the Debtor on a *pro-rata* basis by the Claimants.
18. All parties, with the exception of the Referee, are to bear their own costs of this Application and the application for the appointment of the Referee.
19. Service of this Order on any party not attending this application is hereby dispensed with.



J.C.Q.B.A.