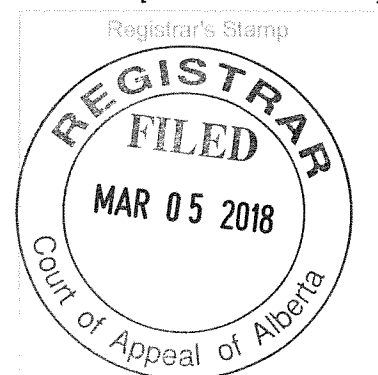


COURT OF APPEAL OF ALBERTA

Form AP-1

[Rule 14.8 and 14.12]

COURT OF APPEAL FILE NUMBER: 1803-0050AC
TRIAL COURT FILE NUMBER: 1703-21274
REGISTRY OFFICE: Edmonton
PLAINTIFF/APPLICANT: City of Edmonton
STATUS ON APPEAL: Respondent
DEFENDANT/RESPONDENT: Alvarez & Marsal Canada Inc., in
its capacity as Court-appointed
Receiver of the current and future
assets, undertakings and
properties of Reid-Built Homes
Ltd, 1679775 Alberta Ltd,
Reid Worldwide Corporation,
Builder's Direct Supply Ltd,
Reid Built Homes Calgary Ltd,
Reid Investments Ltd,
and Reid Capital Corp



STATUS ON APPEAL: Appellant
DEFENDANT/RESPONDENT: Royal Bank of Canada
STATUS ON APPEAL: Not a Party to the Appeal
DEFENDANT/RESPONDENT: Reid-Built Homes Ltd and others,
see attached Schedule A
STATUS ON APPEAL: Not a Party to the Appeal

DOCUMENT: **CIVIL NOTICE OF APPEAL**

APPELLANT'S ADDRESS FOR
SERVICE AND CONTACT
INFORMATION: Norton Rose Fulbright Canada LLP
3700, 400 3rd Avenue S.W.
Howard A. Gorman, Q.C. / Aditya M. Badami
403.267.8144/403.267.8122
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aditya.badami@nortonrosefulbright.com

Lawyers for the Appellant, Alvarez & Marsal Canada Inc., in its
capacity as Court-appointed receiver and manager

WARNING

To the Respondent: If you do not respond to this appeal as provided for in the Alberta Rules of Court, the appeal will be decided in your absence and without your input.

1. Particulars of Judgment, Order or Decision Appealed From:

Date pronounced: February 21, 2018

Date entered: February 21, 2018

Date served: February 21, 2018

Official neutral citation of reasons for decision, if any:

(do not attach copy) 2018 ABQB 124

(Attach a copy of order or judgment: Rule 14.12(3). If a copy is not attached, indicate under item 14 and file a copy as soon as possible: Rule 14.18(2).)

2. Indicate where the matter originated:

☒ Court of Queen's Bench

Judicial Centre: Edmonton

Justice: Graesser

On appeal from a Queen's Bench Master or Provincial Court Judge?: ☐ Yes ☒ No

Official neutral citation of reasons for decision, if any, of the Master or Provincial Court Judge:

(do not attach copy) _____

(If originating from an order of a Queen's Bench Master or Provincial Court Judge, a copy of that order is also required: Rule 14.18(1)(c).)

☐ Board, Tribunal or Professional Discipline Body

Specify Body: _____

3. Details of Permission to Appeal, if required (Rules 14.5 and 14.12(3)(a)):

☐ Permission not required, or ☐ Granted

Date: _____

Justice: _____

(Attach a copy of order, but not reasons for decision.)

4. Portion being appealed (Rules 14.12(2)(c)):

- ☐ Whole, or
☒ Only specific parts (if specific part, indicate which part):

Paragraphs 43-53, 62-63, 143-158, 168, and 171.

(Where parts only of a family law order are being appealed, describe the issues being appealed, e.g. property, child support, parenting, etc.)

5. Provide a brief description of the issues:

The relative priority of a court-appointed receiver's charges and statutory "special lien" claims for unpaid municipal taxes against the receivership estate.

6. Provide a brief description of the relief claimed:

A determination that the court-appointed receiver's reasonable fees, expenses, and borrowings are granted a first-ranking super-priority charge ahead of all other claims including the statutory claims of municipalities for unpaid taxes.

7. Is this appeal required to be dealt with as a fast track appeal? (Rule 14.14)

- ☐ Yes ☒ No

8. Does this appeal involve the custody, access, parenting or support of a child? (Rule 14.14(2)(b))

- ☐ Yes ☒ No

9. Will an application be made to expedite this appeal?

- ☐ Yes ☒ No

10. Is Judicial Dispute Resolution with a view to settlement or crystallization of issues appropriate? (Rule 14.60)

- ☐ Yes ☒ No

11. Could this matter be decided without oral argument? (Rule 14.32(2))

- ☐ Yes ☒ No

12. Are there any restricted access orders or statutory provisions that affect the privacy of this file? (Rule 6.29, 14.12(2)(e), 14.83)

- ☐ Yes ☒ No

If yes, provide details:

(Attach a copy of any order.)

13. List respondent(s) or counsel for the respondent(s), with contact information:

Allan Delgado / Carly Androschuk
allan.delgado@edmonton.ca / carly.androschuk@edmonton.ca
City of Edmonton
9th Floor Chancery Hall
3 Sir Winston Churchill Square
Edmonton AB T5C 2C3

*If specified constitutional issues are raised, service on the Attorney General is required under s. 24 of the
Judicature Act: Rule 14.18(1)(c)(viii).*

14. Attachments (as applicable):

- ☐ Order of judgment under appeal if available (not reasons for decision) (Rule 14.12(3))
- ☐ Earlier order of Master, etc. (Rule 14.18(1)(c))
- ☐ Order granting permission to appeal (Rule 14.12(3)(a))
- ☐ Copy of any restricted access order (Rule 14.12(2)(e))

If any document is not available, it should be appended to the factum, or included elsewhere in the appeal record.

SCHEDULE A

[Complete Style of Cause]

Royal Bank of Canada

Plaintiff / Not a Party to the Appeal

- and -

**Reid-Built Homes Ltd, 1679775 Alberta Ltd,
Reid Worldwide Corporation, Builders Direct Supply Ltd,
Reid Built Homes Calgary Ltd, Reid Investments Ltd,
Reid Capital Corp and Emilie Reid**

Defendants / Not a Party to the Appeal

- and -

**Alvarez & Marsal Canada Inc in its capacity as Court-appointed
Receiver of the current and future assets, undertakings and
properties of Reid-Built Homes Ltd, 1679775 Alberta Ltd,
Reid Worldwide Corporation, Builder's Direct Supply Ltd,
Reid Built Homes Calgary Ltd, Reid Investments Ltd,
and Reid Capital Corp**

Respondent / Appellant

- and -

City of Edmonton

Applicant / Respondent