

Form 27
[Rules 6.3 and
10.52(1)]

COURT FILE NUMBER 1403-13215
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON
APPLICANTS **E CONSTRUCTION LTD.**
RESPONDENTS **SPRAGUE-ROSSER CONTRACTING CO. LTD. and REGIONAL MUNICIPALITY OF WOOD BUFFALO**
DOCUMENT **APPLICATION**

Clerk's Stamp

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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NOTICE TO RESPONDENT(S)

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	February 2, 2016
Time	3:00 p.m.
Where	Edmonton Law Courts Building
Before Whom	Justice J.M. Ross

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

Remedy claimed or sought: Alvarez & Marsal Canada Inc. (the "**Receiver**"), in its capacity as the court-appointed receiver and manager of the current and future assets, undertakings, and properties (collectively, the "**Property**") of Sprague-Rosser Contracting Co. Ltd. ("**Contracting**"), Sprague-Rosser Developments Inc. ("**Developments**") and Pacific Federation Equity Group Inc. ("**Pacific Federation**", Pacific Federation, Developments, and Contracting are collectively referred

to as, the “**Debtors**”) pursuant to the order issued by this Honourable Court on July 31, 2014, as subsequently amended and restated on August 7, 2014 (collectively, the “**Receivership Order**”) applies for the following relief:

1. Declaring that this application (the “**Application**”) is properly returnable on February 2, 2016, that service of the Application is validated and that no persons other than those on the service list are entitled to service of the Application.
2. Directing that Exhibits “P”, “R”, “S” and “T” (the “**Western Statements of Defence**”) that were marked for identification at the cross-examination of J. Paul Bourassa, occurring on January 25, 2016, be marked as Exhibits “30”, “31”, “32” and “33” to the cross-examination of J. Paul Bourassa and be entered as evidence in the within proceeding.
3. Such further and other relief as counsel for the Receiver may advise.

Grounds for making this application: The grounds for the Application are as follows:

4. On December 3, 2015, the Honourable Madam Justice J.M. Ross set a scheduling order (the “**Scheduling Order**”) for the purposes of determining the application filed by the Receiver on November 10, 2015 (the “**Settlement Approval Application**”).
5. On January 25, 2016, Mr. J. Paul Bourassa, a representative of the Western Surety Company (“**Western**”), was cross-examined on an affidavit he swore on November 15, 2016. During the course of that cross-examination the Western Statements of Defence were marked for identification purposes.
6. The Western Statements of Defence are relevant and material to the issues to be determined at the Settlement Approval Application and are properly admissible as evidence before this Honourable Court.
7. Such further and other grounds as counsel for the Receiver may advise.

Material or Evidence to be relied On: The Receiver will rely on the following material:

8. The cross-examination transcript of J. Paul Bourassa and all exhibits marked thereto.
9. The Sixth Report of the Receiver, filed on November 10, 2015.

10. Such further and other material as counsel for the Receiver may advise.

Applicable rules:

11. Rules 1.2 of the *Alberta Rules of Court*.

12. Such further and other rules as counsel for the Receiver may advise.

Applicable Acts and regulations:

13. The BIA.

14. Such further and other acts and regulations as counsel for the Receiver may advise.

Any irregularity complained of or objection relied on:

15. There are no irregularities complained of or objections relied on.

How the application is proposed to be heard or considered:

16. The Receiver proposes that the Application be heard in person and by telephone conference call with one, some, or all of the parties present.

AFFIDAVIT EVIDENCE IS REQUIRED IF YOU WISH TO OBJECT.

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 rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.