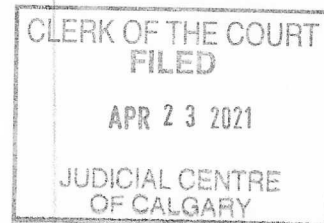


Clerk's Stamp

COURT FILE NO. 1801-04745

COURT Court of Queen's Bench of Alberta

JUDICIAL CENTRE Calgary



PLAINTIFF(S) **HILLSBORO VENTURES INC**

DEFENDANT(S) **CEANA DEVELOPMENT SUNRIDGE INC.  
IN THE MATTER OF RECEIVERSHIP OF CEANA DEVELOPMENT  
SUNRIDGE INC.**

DOCUMENT **Application SUKHDEEP S. DHALI WAL  
by**

ADDRESS FOR  
SERVICE AND  
CONTACT  
INFORMATION OF  
PARTY FILING THIS  
DOCUMENT **SUKHDEEP S. DHALI WAL  
28 CASTLEBROOK PL NE  
CALGARY, AB. T3J 1V8  
PH: 403 681 6051  
EMAIL: GDCL@LIVE.COM**

**NOTICE TO RESPONDENT(S):***(Indicate name(s) and status of Respondent(s))***HILLSBORO VENTURES INC. AND CEANA DEVELOPMENT SUNRIDGE INC.**

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** May 17, 2021**Time:** 3:00 PM**Where:** Calgary Courts Centre, Calgary, Alberta - Via WEB-EX**Before Whom:** Honorable Madam Justice K.M. Eidsvik

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

**Remedy claimed or sought:**

1. Alvarez & Marsal Canada Inc.(court appointed receiver) and 'Ceana', including its management Bahadur (Bob) Gaidhar, and accountant or former accountants of 'Ceana' to provide copies of all financial records in relation to Ceana Development Sunridge Inc., in its possession, including but not limited to following documentation:
  - i. fiscal 2018 financial statements and general ledgers prepared by Ceana management;
  - ii. bank statements received directly from ATB Financial and Canadian Western Bank (for the period of July 25,2015 to the receivership date) the Historical Bank Statements.
  - iii. supporting cheque and wire transfer scan(s) received from the Banks for all transactions in the Historical Bank Statements; and;
  - iv. a "Source and uses" schedule prepared by the Receiver utilizing the Historical Bank Statements, which itemizes and sorts the banking transaction into identifiable categories (as best as possible, where possible).
  - v. copies of all original General Contractor bids including selected bid(s).
  - vi. copies of all invoices paid by "Ceana" to contractors and service providers prior to receivership.
  - vii. release copies of Simon Touchan (2035043 Alberta Ltd) purchase and sale agreement for Building 'C' CRU 5&6).
  - viii. Documents of any agreements Ceana had signed with previous General Contractor (Fast Track Commercial Inc or its owner Dan Deilami, in relation to liens placed against or discharged for Ceana project(s).
2. Request authorization from the court to collect documentation from various parties, bank(s), credit bureau(s), Property Records and holders of information related to Ceana Development Sunridge Inc. and its affiliated companies and other related parties and companies as listed below, which can be traced to have benefited from the funds of Ceana Development Sunridge Inc. The request for records is to include transactions from December 9, 2015 (original PSA (purchase sale agreement date of applicant)) to date, to allow the applicant or its agent to trace applicant's fund(s) activity for which the investigation(s) has not started.
  - i. Ceana Development Inc. (received funds from Ceana Development Sunridge Inc. (the holder of applicants funds))
  - ii. Ceana Development Weswinds Inc. (received funds from Ceana Development Sunridge Inc. (the holder of applicants funds))
  - iii. Ceana Development Evanston Inc. (received funds from Ceana Development Sunridge Inc. (the holder of applicants funds))
  - iv. 1117899 Alberta Ltd. (received funds from Ceana Development Sunridge Inc. (the holder of applicants funds))
  - v. Visions 20 Entertainment Inc. (received funds from Ceana Development Inc.,which received funds from Ceana Development Sunridge Inc. (the holder of applicants funds))
  - vi. Visions 10 Entertainment Inc. (received funds from Visions 20 Entertainment Inc, which received funds from Ceana Development Inc., which received funds from Ceana Development Sunridge Inc (the holder of applicant(s) funds))
3. Order Ceana Development Inc. to refund to applicant the monies advanced as loan to it for the purpose of Ceana Development Sunridge Inc. project for the amount of \$63,754.50 plus interest (2%) to date as agreed in the agreement shown in Exhibit "J").

4. Compel Ceana Development Sunridge Inc. to produce documentation proofs to applicant for works completed and/or invoiced and for which payments have been issued to all parties including Fast Track Commercial Inc (original General Contractor), Ceana Development Inc., Ceana Development Westwinds Inc, Bahadur (Bob) Gaidhar and any other related parties.
5. Compel the Receiver and Ceana to maintain all the records in relation to Ceana project in possession and prohibit them from destroying any record(s) from year 2015 until a time frame set by the court, as these would be needed for future litigations.
6. Request the court to direct that an investigator be appointed to review the improper conduct of Ceana Management and its related parties.

**Grounds for making this application:**

7. The Receiver was appointed as receiver and manager of the assets, properties and undertakings of Ceana Development Sunridge Inc. ("Ceana") pursuant to the receivership order granted on July 3, 2019 by the Honourable Justice B.E.C Romaine, as amended and restated on June 17, 2020 by the Honourable Justic C.M. Jones (collectively referred to as the "Receivership Order").
8. The receiver is empowered and authorized to sell Ceana's current and future assets, properties and undertakings of every nature and kind whatsoever pursuant to the receivership order. It is further authorized to settle debts owed by Ceana.
9. The project is subject to several purchase and sale agreements specifying that the deposit funds are to be held in trust in accordance with section 14 of the Condominium Property Act, R.S.A. 2000, c-C-22, as amended ("Act").
10. H K Dunkley and Ceana failed to comply with the Act and do not have an enforceable agreement to justify the retention of the Deposit Funds.
11. The applicant has lost rights to the purchaser deposits to be recognized in trust pursuant to Memorandum of decision of Honourable Madam Justice K. M. Eidsvik passed on 5th day of February 2021 and deserves the right to gather documents from parties who have benefited directly or indirectly from the applicant's funds as a result of intermingling or misappropriation.

**Material or evidence to be relied on:**

12. Memorandum of decision of Honourable Madam Justice K. M. Eidsvik passed on 5th day of February 2021.
13. Receivership order granted on July 3, 2019, by the Honourable Justic B.E.C. Romaine
14. Amended and restated receivership order granted on June 17,2020, by the Honourable Justice C. M. Jones
15. Affidavit of Sukhdeep S. Dhaliwal sworn on 28 Octobr 2020.
16. Affidavit of Sukhdeep S. Dhaliwal sworn on 15 April 2021, submitted for filing along with this application.
17. Affidavit of Mounir Alein sworn on 20 April 2021, submitted for filing along with this application.
18. Affidavit of Massoud Rahnama sworn on 20 April 2021, submitted for filing along with this application.
19. Affidavit of Ajaypal Singh Dhillon.
20. Pleadings filed in this proceedings; and
21. Such further and other material as counsel may advise and this Honourable Court may permit.

**Applicable rules:**

22. Such rules as counsel may advise

**Applicable Acts and regulations:**



23. *The Bankruptcy and insolvency Act, RSC 1985, c-B-3*
24. *Section 17, 22, 68 of the Civil Enforcement Act, RSA 2000, C C-15*  
*Condominium Property Act, RSA 2000, c-C-22*

**Any irregularity complained of or objection relied on:**

25. N/A

**How the application is proposed to be heard or considered:**

26. Online via Web-Ex

**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 time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.