

COURT FILE NUMBER 1803 05959
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON
PLAINTIFF THE TORONTO DOMINION BANK
DEFENDANTS 1287839 ALBERTA LTD., PRICOPE
MATWYCHUK HOLDINGS LTD., FEHR
QUALITY CONTRACTING INC., 101279740
SASKATCHEWAN LTD., ALEXANDRU
PRICOPE AND CHRISTINA MATWYCHUK



DOCUMENT APPLICATION

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS
DOCUMENT

Ogilvie LLP
1400, 10303 Jasper Avenue
Edmonton AB T5J 3N6
Attention: Kentigern A. Rowan, Q.C./Amber M.
Poburan
Phone: 780.429.6236
Fax: 780.429.4453
File No.: 41087.15
**Service will be accepted by delivery or fax. No
other form of service will be accepted.**

NOTICE TO THE RESPONDENT:

This application is made against you. You are the Respondent.

You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date: May 14, 2018
Time: 2:00 p.m.
Where: Law Courts Building, Edmonton, Alberta
Before: Madam Justice D. Pentelechuk

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

Remedy Sought:

1. An Order providing for:
 - a. Approving the activities of MNP Ltd., as Receiver of 1287839 Alberta Ltd. ("Kopala"), Pricope Matwychuk Holdings Ltd. ("PM Holdings"), Fehr Quality Contracting Inc. ("Fehr") and 101279740 Saskatchewan Ltd. ("101") (collectively referred to as the

"Corporations") (the "Receiver") as disclosed in the Receiver's Reports to this Honourable Court;

- b. Approving the Receiver's Second Report, together with confidential addendum thereto;
- c. Approving the Statement of Receipts and Disbursements as of May 4, 2018;
- d. Granting a Restrictive Access Order respecting the Confidential Addendum to the Second Report of the Receiver;
- e. Authorizing the Receiver to accept the net minimum guarantee auction proposal submitted by Century Services Corp. (the "Century Proposal") ("Century") as described in the Confidential Addendum to the Second Report of the Receiver and authorizing the Receiver to take such steps and execute such agreements as may be necessary to proceed with the Century Proposal;
- f. Authorizing the Receiver to engage a realtor to list the Conklin Premises (as that term is defined in the Receiver's Report and Confidential Addendum to the Second Report of the Receiver) and to list the Conklin Premises at a reduced listing;
- g. Providing advice and directions to the Receiver respecting exercise of the Receiver's power to bankrupt Kopala and/or PM Holdings;
- h. Such further and other relief as this Honourable Court deems just in the circumstances.

Grounds for Making this Application:

2. The Receiver was appointed Receiver of the Corporations by Order of this Honourable Court dated March 29, 2018.
3. The Receiver has performed the tasks as described in the Reports filed with this Honourable Court including, but not limited to, the Second Report of the Receiver.
4. The Receiver wishes to proceed with disposition of the assets of the Corporations in the manner described in the Second Report and Confidential Addendum to the Second Report of the Receiver.

Material or evidence to be relied on:

5. The Reports of the Receiver filed with this Honourable Court including, but not limited to, the Second Report of the Receiver and the Confidential Addendum to the Second Report of the Receiver.

Applicable Rules:

6. N/A.

Applicable Acts and Regulations:

7. N/A.

Any irregularity complained of or objection relied upon:

8. None.

How the Application is proposed to be heard or considered:

9. Before the presiding Madam Justice D. Pentelechuk.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the Applicant what is wants 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 in 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.