

COURT FILE NUMBER	2001-07332	Clerk's Stamp
COURT	COURT OF QUEEN'S BENCH OF ALBERTA	
JUDICIAL CENTRE	CALGARY	
APPLICANT	MNP LTD.	
RESPONDENT(S)	SERVUS CREDIT UNION LTD., 1609715 ALBERTA LTD., operating as HAMPTON INN & SUITES AIRDRIE	
DOCUMENT	ORDER TO AMEND RECEIVERSHIP ORDER	

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **NORTON ROSE FULBRIGHT LLP**
400 3rd Avenue SW, Suite 3700
Calgary, AB T2P 4H2
Canada

ATTN: HOWARD GORMAN / GUNNAR BENEDIKTSSON
TEL: 403-267-8144 / 403-267-8256
EMAIL: howard.gorman@nortonrosefulbright.com /
gunnar.benediktsson@nortonrosefulbright.com

Counsel for MNP Ltd. in its capacity as Court-appointed Receiver of
1609715 Alberta Ltd.

UPON the application of MNP Ltd. (MNP, or the **Receiver**) in its capacity as Court-appointed Receiver of 1609715 Alberta Ltd., operating as Hampton Inn & Suites Airdrie; **AND UPON** having read the Application and the First Report of the Receiver, filed November 23, 2020; **AND UPON** reviewing the Order of the Honourable Justice C.M. Jones on June 16, 2020, appointing MNP as Receiver (the **Receivership Order**); **AND UPON REVIEWING** the First Report of the Receiver dated November 23, 2020 (the **First Report**) **AND UPON** hearing counsel for the Receiver and any other counsel or other interested parties present; **IT IS HEREBY ORDERED AND DECLARED THAT:**

SERVICE

1. The time for service of the notice of application for this order is hereby abridged to the time actually given, and service thereof is deemed good and sufficient upon all parties entitled to service thereof, and this application is properly returnable today.

RECEIVER'S ACTIONS

2. Based on the evidence before this Court, the actions of the Receiver as set out in the First Report are hereby ratified and approved.

AMENDMENT TO RECEIVERSHIP ORDER

3. Section 21 of the Receivership Order is hereby amended to increase the limit on Receiver's borrowings from \$250,000 to \$650,000, such that as of the date hereof section 21 of the Receivership Order shall read as follows:

The Receiver be at liberty and it is hereby empowered to borrow by way of a revolving credit or otherwise, such monies from time to time as it may consider necessary or desirable, provided that the outstanding principal amount does not exceed **\$650,000** (or such greater amount as this Court may by further order authorize) at any time, at such rate or rates of interest as it deems advisable for such period or periods of time as it may arrange, for the purpose of funding the exercise of the powers and duties conferred upon the Receiver by this Order, including interim expenditures. The whole of the Property shall be and is hereby charged by way of a fixed and specific charge (the "**Receiver's Borrowings Charge**") as security for the payment of the monies borrowed, together with interest and charges thereon, in priority to all security interests, trusts, deemed trusts, liens, charges and encumbrances, statutory or otherwise, in favour of any Person, but subordinate in priority to the Receiver's Charge and the charges set out in sections 14.06(7), 81.4(4) and 81.6(2) of the BIA.

FILING

4. Service of this Order shall be deemed good and sufficient by:
- (a) serving the same on:
 - (i) the persons listed on the service list created in these proceedings or otherwise served with notice of these proceedings;
 - (ii) any other person served with notice of the application for this Order;
 - (iii) any other parties attending or represented at the application for this Order; and
 - (b) posting a copy of this Order on the Receiver's Website
- and service on any other person is hereby dispensed with.
5. Service of this Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.



The Honourable Madam Justice B.E. Romaine