

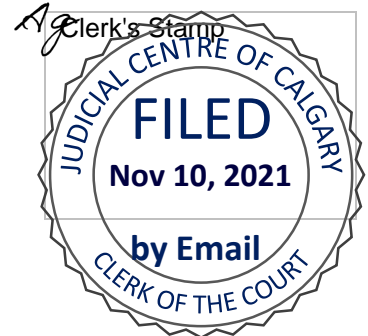
COURT FILE NUMBER 03935
2001-03925

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

APPLICANT VANCITY COMMUNITY INVESTMENT BANK
CONNECT FIRST CREDIT UNION LTD. and
TREZ CAPITAL LIMITED PARTNERSHIP by its
General Partner TREZ CAPITAL (2011)
CORPORATION

RESPONDENTS FIRST STREET PLAZA (2006) LIMITED
PARTNERSHIP by its general partner FIRST
STREET PLAZA GP LTD.; LOUISE BLOCK
LIMITED PARTNERSHIP by its general partner
LOUISE BLOCK CAPITAL CORP.; MACLEOD
PLACE LIMITED PARTNERSHIP by its general
partner MACLEOD PLACE LTD.; RIAZ
MAMDANI; and IEC LTD.



C113817

DOCUMENT **SEALING, DISTRIBUTION AND APPROVAL ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

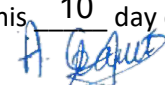
Counsel

McMillan LLP
Royal Centre, 1500 – 1055 West Georgia Street
Vancouver, BC V6E 4N7

Telephone: 236 826 3022
Facsimile: 604 685 7084
Email: vicki.tickle@mcmillan.ca

I hereby certify this to be a true copy of
the original Order

Dated this 10 day of November, 2021


for Clerk of the Court

DATE ON WHICH ORDER WAS PRONOUNCED: November 8, 2021

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary

NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice Horner

UPON THE APPLICATION by **MNP Ltd.** in its capacity as the Court-appointed receiver and manager (the "Receiver") of the following land and premises, and all property used in the business or affairs carried on by Macleod Place Limited Partnership by its general partner Macleod Place Ltd., Louise Block Limited Partnership by its general partner Louise Block Capital Corp., and First Street Plaza (2006) Limited Partnership by its general partner First Street Plaza GP Ltd. (the "First Street Debtors", and collectively, the "Debtors") at those lands and premises, namely:

Title #: 131062248

Legal Description:

PLAN 4269HS

BLOCK 1

LOT 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

Civic Address: 5920 and 5940 Macleod Trail SW, Calgary, Alberta

Titleholder: Macleod Place Ltd.

Title #: 051392048

Legal Description:

PLAN "A"

BLOCK 72

LOTS 37 TO 40 INCLUSIVE

Civic Address: 1018 Macleod Trail SE, Calgary Alberta

Titleholder: Louise Block Capital Corp.

Title #: 071146388

Legal Description:

PLAN C

BLOCK 16

LOTS 21 TO 24

EXCEPTING THEREOUT A PORTION FOR STREET WIDENING ON PLAN 8310173

EXCEPTING THEREOUT ALL MINES AND MINERALS

Civic Address: 138 – 4th Avenue SE, Calgary, Alberta

Titleholder: First Street Plaza GP Ltd.

for an order temporarily sealing the Third Confidential Report of the Receiver dated October 28, 2021 (the "Third Confidential Report"), approving the Receiver's fees and disbursements, approving the Receiver's activities, and approving the distribution of certain funds in the Receiver's possession to Canada Revenue Agency ("CRA") on account of a deemed trust claim pursuant to the *Excise Tax Act*, R.S.C. 1985, c. E-15, as amended;

AND UPON HAVING READ the Interim Receivership Order dated December 20, 2019 granted in Court of Queen's Bench of Alberta Court File No. 1901-18029 appointing Alvarez & Marsal Canada Inc. as interim receiver of the Debtors; the Amended and Restated Receivership Order dated February 24, 2021 (the "Amended Receivership Order"), the Third Report of the Receiver to Court, dated October 28, 2021 (the "Third Report"), the Third Confidential Report and the Affidavit of Service; **AND UPON** the approval and vesting order (the "AVO") having been granted on November 8, 2021 in the within proceeding; **AND UPON HEARING** the submissions of counsel for the Receiver and Connect First Credit Union Ltd., no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Service, filed;

IT IS HEREBY ORDERED AND DECLARED THAT:**ABRIDGEMENT OF TIME**

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this application and time for service of this application is abridged to that actually given.

TEMPORARY SEALING

2. Division 4 of Part 6 of the Alberta Rules of Court does not apply to this application, and compliance with Rule 6.32 of the Alberta Rules of Court is hereby waived.
3. The Third Confidential Report shall, until the filing of the Receiver's Closing Certificate (as defined in the AVO), be sealed and kept confidential, to be shown only to a Justice of the Court of Queen's Bench of Alberta, and accordingly, shall be filed with the Clerk of the Court who shall keep the Third Confidential Report in a sealed envelope, which shall be clearly marked "SEALED PURSUANT TO THE ORDER OF THE HONOURABLE JUSTICE HORNER DATED NOVEMBER 8, 2021."

APPROVAL OF ACTIVITIES

4. The Receiver's activities as set out in the Third Report, and the Statement of Receipts and Disbursements as attached to the Third Report, are hereby ratified and approved.

PROFESSIONAL FEES

5. The Receiver's fees and disbursements, as set out in the Third Report, are hereby approved without the necessity of a formal passing of accounts.
6. The fees and disbursements of the Receiver's legal counsel, McMillan LLP, as set out in the Third Report, are hereby approved without the necessity of a formal assessment of accounts.
7. The Receiver is authorized and directed to pay any and all amount of the Receiver and its legal counsel up to and subsequent to the date of this Order respecting accrued or accruing fees and disbursements.

DISTRIBUTION

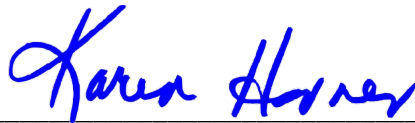
8. The Receiver is authorized and directed to distribute the sum of \$9,754.65 to Canada Revenue Agency on account of its deemed trust claim in respect of unremitted goods and services tax pursuant to the *Excise Tax Act*, RSC 1985, c. E-15, as amended, as described at paragraph 78 of the Third Report.

SERVICE

9. 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;
 - (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;
 - (iv) the Purchaser or the Purchaser's solicitors; and
 - (b) Posting a copy of this Order on the Receiver's website at:
<https://mnpdebt.ca/en/corporate/corporate-engagements/louise-block-first-street-plaza-macleod-place>

and service on any other person is hereby dispensed with.

10. 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.



Justice of the Court of Queen's Bench of Alberta