

Reply to the Attention of: Melanie Cheddi
Direct Line: 403.531.4702
Email Address: melanie.cheddi@mcmillan.ca
Our File No.: 267526
Date: April 27, 2023

EMAIL AND MAIL

TO THE ATTACHED SERVICE LIST

Dear Sir/Madame,

Re: Timbercreek Mortgage Servicing Inc. et al v Symphony Condominium Ltd. et al
Court File No: 2203-01087

We write on behalf of MNP Ltd. in its capacity as Receiver and Manager of Symphony Condominium Ltd.

Please find enclosed for service upon each of the parties noted in the attached service list a filed copy of the order granted by the Honourable Justice J.T. Neilson on April 24, 2023.

Yours truly,


Melanie Cheddi

Encl.

COURT FILE NUMBER 2203-01087

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

PLAINTIFFS TIMBERCREEK MORTGAGE SERVICING INC.
and 2292912 ONTARIO INC.

DEFENDANTS SYMPHONY CONDOMINIUM LTD., ROCKWOOD
MANAGEMENT LTD. and ALLEN WASNEA

DOCUMENT **SERVICE LIST (April 19, 2023)**

COUNSEL/PARTY	METHOD OF DELIVERY	ROLE
Cassels Brock & Blackwell LLP Suite 3810, 888 3 rd Street SW Calgary, AB T2P 5C5 Attention: Jeffrey Oliver/Kara N. Davis Email: joliver@cassels.com kdavis@cassels.com	Email	Counsel to 2292912 Ontario Inc. and Timbercreek Mortgage Servicing Inc.
City Of Edmonton 9th Floor, Chancery Hall 3 Sir Winston Churchill Square Edmonton, AB T5J 2C3 Attention: Jamie Johnson Email: jamie.johnson@edmonton.ca	Email	
2292912 Ontario Inc. c/o Timbercreek Mortgage Servicing Inc. 25 Price Street Toronto, ON M4W 1Z1 Attention: Yvonne McAndrew Email : ymcandrew@timbercreek.com	Email	Plaintiffs
Biamonte LLP 1700, 102A Avenue NW Edmonton, AB T5J 2Z2 Attention: Brian S. Sussman, Q.C. Email: bsussman@biamonte.com	Email	Counsel to Symphony Condominium Ltd., Rockwood Management Ltd. and Allen Wasnea

<p>Sharek Logan & van Leenen LLP 2100 Scotia Place 10060 Jasper Avenue Edmonton, AB T5J 3R8</p> <p>Attention: Ian D. Logan/David van Leenen</p> <p>Email: ilogan@sharekco.com dvanleenen@sharekco.com</p>	<p>Email</p>	<p>Corporate Counsel to Symphony Condominium Ltd., Rockwood Management Ltd. and Allen Wasnea</p>
<p>Symphony Condominium Ltd. 2100, 10060 Jasper Avenue NW Edmonton, AB T5J 3R8</p> <p>Rockwood Management Ltd. 2100, 10060 Jasper Avenue NW Edmonton, AB T5J 3R8</p> <p>Attention: Allen Wasnea</p> <p>Email: allen@wasnea.com</p>	<p>Email</p>	<p>Defendants</p>
<p>MNP Ltd. 1500, 640 5th Ave SW Calgary, AB T2P 3G4</p> <p>Attention: Vanessa Allen</p> <p>Email: vanessa.allen@mnp.ca</p>	<p>Email</p>	<p>Receiver</p>
<p>Canada ICI Capital Corporation 2020 4th Street SW Calgary, AB T2S 1W3</p> <p>Attention: David Klein</p> <p>Email: dklein@canadaicicapital.ca</p>	<p>Email</p>	<p>Creditor of Symphony Condominium Ltd., Rockwood Management Ltd. and Allen Wasnea (PPR and Land Titles Registrant)</p>
<p>Der Nguyen, Barristers & Solicitors #202, 10059 - 118 St. N.W. Edmonton, AB T5K 0B9</p> <p>Attention: Richard Der</p> <p>Fax: (780) 421-9399 Email: rder@dernguyen.com</p>	<p>Fax</p>	<p>Counsel to Ton Foon Investments Ltd. Interested Party - prospective purchaser</p>
<p>Swainson Miki Peskett LLP Suite 2800, 10104 103rd Avenue NW Edmonton, AB, T5J 0H8</p> <p>Attention: Roger I. Swainson, Q.C./Dan R. Peskett/Elizabeth Harding</p> <p>Email: rswainson@smpllp.ca dpeskett@smpllp.ca eharding@smpllp.ca</p>	<p>Email</p>	<p>Counsel to Canada ICI Capital Corporation</p>

<p>First National GP Financial Corporation 800 5th Avenue SW Calgary, AB, T2P 3T6</p> <p>Attention: Christopher Sebben Email:</p> <p>Email: chris.sebben@firstnational.ca</p>	<p>Email</p>	<p>Potential Creditor of Symphony Condominium Ltd., Rockwood Management Ltd. and/or Allen Wasnea</p>
<p>Willis Law 105, 4246 97th Street Edmonton, AB T6E 5Z9</p> <p>Attention: Amber L. Nickel/Leanne Theriault</p> <p>Email: anickel@willislaw.ca/ltheriault@willislaw.ca</p>	<p>Email</p>	<p>Counsel to Condominium Corporation 1920542</p>
<p>Government of Alberta Justice and Solicitor Division Legal Services Division Infrastructure and Transportation 4th Floor, 9942 108th Street Edmonton, AB T5K 2J5</p> <p>Attention: Nigel J. Forster/Natasha Sutherland</p> <p>Email: nigel.forster@gov.ab.ca natasha.sutherland@gov.ab.ca</p>	<p>Email</p>	<p>Counsel to Alberta Infrastructure</p>
<p>Canada Revenue Agency Surrey National Verification and Collections Centre 9755 King George Boulevard Surrey, BC V3T 5E1</p> <p>Fax: 1 866 219 0311</p>	<p>Fax</p>	<p>Potential Creditor</p>
<p>Alberta Land Titles John E. Brownlee Building 10365 97th Street Edmonton, AB T5J 2T3</p>	<p>Courier</p>	<p>Potential Interested Party</p>
<p>General Manager, Planning and Development Department 5th Floor, 10250 101st Street NW Edmonton, AB T5J 3P4</p>	<p>Courier</p>	

HSBC Bank Canada 10250 101 st Street Edmonton, AB T5J 3P4	Courier	Creditor of Rockwood Management Ltd. (AB PPR Registrant)
Alberta Infrastructure Properties Division/Realty Services Land Acquisition and Services 3 rd Floor, Infrastructure Building 6950 113 th Street Edmonton, AB T6H 5V7	Via Counsel	Interested Party (Letter of Credit)
Condominium Corporation No. 1920542 c/o KDM Management Inc. 10519 99th Avenue NW Edmonton, AB T5K 0E7	Via Counsel	Interested Party

COURT FILE NUMBER 2203-01087
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON
PLAINTIFFS TIMBERCREEK MORTGAGE SERVICING
INC. and 2292912 ONTARIO INC.
DEFENDANTS SYMPHONY CONDOMINIUM LTD.,
ROCKWOOD MANAGEMENT LTD. and
ALLEN WASNEA
DOCUMENT **ORDER (VARY SALE PROCESS ORDER,
APPROVAL OF FEES, ACTIVITES, SRD,
AND SEALING)**



ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF PARTY
FILING THIS DOCUMENT **McMillan LLP**
TD Canada Trust Tower
#1700, 421-7th Avenue SW
Calgary, Alberta T2P 4K9

Attention: Adam Maerov
Telephone: 403-215-2752
Facsimile: 403-531-4720

Attention: Preet Saini
Telephone: 403-531-4716
Facsimile: 403-531-4720
File Number: 287823

DATE ON WHICH ORDER WAS PRONOUNCED: April 24, 2023
LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton Law Courts
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice J.T. Neilson

UPON THE APPLICATION of MNP Ltd., in its capacity as court-appointed receiver and manager (the "Receiver") of Symphony Condominium Ltd. ("Debtor"); AND UPON reviewing the Third Report of the Receiver dated April 19, 2023 ("Third Report"), the Fourth Confidential Report of the Receiver dated April 19, 2023 ("Fourth Confidential Report"), the First Report of the Receiver dated May 11, 2022 ("First Report") and the Second Confidential Report of the Receiver dated May 11, 2022 ("Second Confidential Report"); AND UPON reviewing the consent receivership order granted by the Honourable Justice Lema on April 7, 2022 appointing the Receiver as receiver and manager of Symphony Condominium Ltd. ("Receivership Order") and the order approving marketing process, sale approval process, activities, distributions and sealing granted by the Honourable Justice Dunlop on May 18, 2022 contained therein (the "Sales Process Order"); AND UPON reviewing the Affidavit of Service confirming service on the service list contained therein ("Service List"); AND UPON hearing counsel for the Receiver and any other

interested parties present;

AND UPON being advised that the Receiver seeks an order temporarily sealing the Fourth Confidential Report, varying the Sales Process Order, approving the Receiver's fees and disbursements and approving the Receiver's activities;

AND UPON reviewing paragraph 4 of the Sales Process Order that authorizes and empowers the Receiver to apply to this Court to amend, vary, or seek any advice or directions with respect to the Marketing Process or the Sale Approval Process;

AND UPON being advised that the Receiver seeks approval of a sale transaction contemplated by an offer to purchase (the "Offer to Purchase") between the Receiver and Ton Foon Investment Ltd. ("Purchaser") dated April 19, 2023 and appended to the Third Report and vesting in the Purchaser (or its nominee) the Debtor's right, title and interest in and to the assets described in the Offer to Purchase;

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

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.

AMENDMENT TO SALES PROCESS ORDER AND APPROVAL OF 707 UNIT SALE

2. Paragraph 3(a) of the Sales Process Order is varied to read as follows:
 - a. the purchase price for the relevant Symphony Unit is greater than 95% of the forced sale value provided for each of the Symphony Units in the Symphony Appraisal (as defined in the Second Confidential Report of the Receiver dated May 11, 2022) and the purchase price for the Foote Residence is within or above the applicable Value Range (as defined in the First Report of the Receiver dated May 11, 2022);
3. All other terms of the Sales Process Order shall remain in full force and effect.
4. The Offer to Purchase is hereby approved pursuant to the Sales Process Order (as varied by this Order).

APPROVAL OF ACTIVITIES AND SRD

5. The Receiver's actions, activities, and conduct as set out in the Third Report, are hereby ratified and approved.
6. The Receiver's interim statement of receipts and disbursements for the period from April 7, 2022 to April 17, 2023 as set out in the Third Report are hereby ratified and approved.

PROFESSIONAL FEES

7. The Receiver's fees and disbursements for the period ended March 31, 2023 in the amount of \$363,422 (inclusive of applicable sales taxes) are hereby ratified and approved; and
8. The fees and disbursements of McMillan LLP, as counsel to the Receiver, for the period ending March 31, 2023 in the amount of \$167,696 (inclusive of applicable sales taxes) are hereby ratified and approved.

TEMPORARY SEALING

9. The Fourth Confidential Report shall, until the filing of all of the Receiver's Closing Certificate in respect of the last Symphony Unit and the Foote Residence (each as defined in the Sales Process Order) or upon further order of this Honourable Court, be sealed and kept confidential, to be shown only to a Justice of the Court of King's Bench of Alberta, and accordingly, shall be filed with the Clerk of the Court who shall keep the Confidential Report in a sealed envelope, which shall be clearly marked "SEALED PURSUANT TO THE ORDER OF THE HONOURABLE JUSTICE NEILSON DATED April 24, 2023."

FILING

10. The Clerk of the Court is directed to file this Order forthwith and return it to McMillan LLP for further handling.

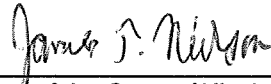
SERVICE

11. 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;

- b. Posting a copy of this Order on the Receiver's website at:
<https://mnpdebt.ca/en/corporate/corporate-engagements/fmpc>

and service on any other person is hereby dispensed with.

12. 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 King's Bench of Alberta