

IN THE COURT OF APPEAL FOR SASKATCHEWAN

ON APPEAL FROM THE COURT OF QUEEN'S BENCH, JUDICIAL CENTRE OF SASKATOON
Q.B. No. 1401 of 2019

BETWEEN:

HARMON INTERNATIONAL INDUSTRIES INC.

PROPOSED APPELLANT
(Respondent)

AND:

HARDIE & KELLY INC., Receiver of Harmon International Industries Inc.

PROPOSED RESPONDENT
(Applicant)

AND:

PILLAR CAPITAL CORP.

INTERESTED PARTY
(Initial Applicant)

NOTICE OF MOTION
(Stay Order)

TAKE NOTICE THAT:

1. The Proposed Appellant, Harmon International Industries Inc., intends to apply to the presiding Judge in a hearing of the Court in Chambers on Thursday, July 30, 2020 at 10:00 a.m. for an Order staying the execution of the Sales Process Order issued June 5, 2020, except for paragraphs 6-7.
2. The grounds upon which the Proposed Appellant seeks an order staying the execution of the Sales Process Order are as follows:

(a) This Court has jurisdiction to order the stay of execution of judgments or orders pursuant to the *Court of Appeal Rules*, Rule 15.

(b) If the Court is satisfied that the Proposed Appellant is not required to obtain leave to appeal and orders an extension of the time for filing of the Notice of Appeal to August 4, as requested by the Proposed Appellant, it would be appropriate that the Court to order a stay of execution of the Sales Process Order until that date.

3. The following material will be filed in support of this application:

(a) This notice of motion with proof of service upon the parties present in Court on July 24, 2020; and

(b) Draft Order.

DATED at Saskatoon, Saskatchewan this 29th day of July, 2020.

LELAND KIMPINSKI LLP

Per: 

Ryan A. Pederson, Counsel for the Proposed Appellant, Harmon International Industries Inc.

TO: MLT Aikins LLP Attention: Jeffrey M. Lee, Q.C. and Paul Olfert
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AND TO: City of Saskatoon -City Solicitor's Office Attention: Alan Rankine 222 3rd Avenue N
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AND TO: The Registrar of the Court of Appeal for Saskatchewan

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