

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)

DRAFT

ORDER
(Appointment of *Amicus Curiae*)

BEFORE the Honourable Madam Justice G.R. Jackson on Friday, July 24, 2020.

UPON THE APPLICATION of the Proposed Respondent, Hardie & Kelly Inc., in its capacity as Receiver of Harmon International Industries Inc. (the "**Receiver**"), and having read the notice of motion with proof of service, a form of Draft Order the record of the proceedings, and having regard for the submissions of counsel:

IT IS HEREBY ORDERED THAT:

1. Ian Sutherland of McDougall Gauley LLP shall be and is hereby appointed as *amicus curiae* in this matter for the sole purpose of providing submissions to the Court on the following issue:

May the appeal of Harmon International Industries Inc. be considered by the Court of Appeal on the basis that leave to appeal is not required as a result of the Court's decision in *MNP Ltd. v Wilkes*, 2020 SKCA 66?

2. The Receiver shall pay the reasonable legal fees and disbursements of the *amicus curiae*.

ISSUED at the City of Regina, in the Province of Saskatchewan this ____ day of July, 2020.

Registrar, Court of Appeal

This document was delivered by:

Name of the firm:	MLT Aikins LLP
Lawyer in charge of file :	Jeffrey M. Lee Q.C. / Paul Olfert
Address of firm:	1500, 410 22nd Street E, Saskatoon SK S7K 5T6
Telephone number:	306.975.7100
Fax number:	306.975.7145
Email address:	jmllee@mltaikins.com / polfert@mltaikins.com