



COURT FILE NO. 1901-06628

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF/APPLICANT **ALBERTA TREASURY BRANCHES**

DEFENDANTS/RESPONDENTS **EAGLES QUAY PROPERTIES INC., FRANK LAYTON and CAROL LAYTON**

DOCUMENT **ORDER (SALES PROCESS)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT BLAKE, CASSELS & GRAYDON LLP
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File Ref.: 88370/11

DATE ON WHICH ORDER WAS PRONOUNCED: May 16, 2019

NAME OF JUSTICE WHO MADE THIS ORDER: C.M. Jones

LOCATION OF HEARING: Calgary, Alberta

UPON the application (the "**Application**") of Hardie & Kelly Inc., LIT, in its capacity as receiver (the "**Receiver**") of Eagles Quay Properties Inc. (the "**Debtor**"); **AND UPON** having read the First Report of the Receiver dated May 6, 2019 (the "**First Receiver's Report**"), the Confidential Supplement to the First Report of the Receiver dated May 6, 2019 (the "**Confidential Supplement**"), and the Affidavit of Service of Elisabeth Wade sworn on May 15, 2019; **AND UPON** hearing from counsel for the Receiver, counsel for ATB Financial, formerly Alberta

Treasury Branches, and any other interested parties appearing at the hearing of the within Application; **IT IS HEREBY ORDERED AND DECLARED THAT:**

SERVICE

1. The time for service of the notice of Application for this order is hereby abridged, if necessary, and service thereof is deemed good and sufficient.

APPROVAL OF CONDUCT

2. The actions, conduct, and activities of the Receiver, as outlined in the First Receiver's Report and the Confidential Supplement, are hereby approved.

APPROVAL OF PROPOSED LISTING TERMS

3. The sale and listing process (the "**Proposed Listing Terms**") outlined in the First Receiver's Report is hereby approved.
4. The Receiver is authorized and directed to implement the Proposed Listing Terms, including the engagement of the Listing Agent on the terms outlined in the First Receiver's Report, do all things that are reasonably necessary to conduct and give full effect to the Proposed Listing Terms, and carry out the Receiver's obligations thereunder.
5. The Receiver shall be at liberty to apply for an Order vesting title to the Debtor's purchased property in the successful bidder in accordance with the Proposed Listing Terms.

COMPELLING BOOKS AND RECORDS

6. Frank Layton, Frank P. Layton Professional Corp., and any other individual or entity in possession of the Records, as that terms is defined pursuant to paragraph 6 of the Receivership Order, is hereby ordered to turn over all of the Records of the Debtor to the Receiver within five days of being served with a copy of this Order.

GENERAL

7. Service of this Order shall be deemed good and sufficient by serving all interested parties to the Application and by posting a copy of this Order on the Receiver's website established in respect of these proceedings.

8. Service of this Order shall be deemed good and sufficient regardless of whether service is effected by PDF copy attached to an email, facsimile, courier, personal deliver, or ordinary mail.



Justice of the Court of Queen's Bench of Alberta