



COURT FILE NUMBER BK NO: 25-1642764
COURT COURT OF QUEEN'S BENCH OF ALBERTA
IN BANKRUPTCY AND INSOLVENCY
JUDICIAL CENTRE CALGARY
PROCEEDING IN THE MATTER OF THE BANKRUPTCY OF POYNT CORPORATION
DOCUMENT APPLICATION

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

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File No. 58297-53

NOTICE TO RESPONDENT

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the master/judge.

To do so, you must be in Court when the application is heard as shown below:

DATE	<u>October 11, 2012</u>
TIME	<u>9:00¹ p.m.</u>
WHERE	<u>Court House, Calgary, Alberta</u>
BEFORE WHOM	<u>The Honourable Justice Jeffrey</u>

Go to the end of this document to see what else you can do and when you must do it.

Remedy claimed or sought:

1. An Order abridging the time for service of this Application and the supporting materials, as necessary, and deeming service thereof to be good and sufficient.
2. An Order pursuant to section 50.4(9) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985 c. B-3 (the "BIA") extending the stay of proceedings under the BIA to October 15, 2012.

3. An Order granting such further and other relief as counsel may advise and this Honourable Court deems appropriate in the circumstances.

Grounds for making this application:

4. The Applicant is an insolvent corporation which filed a Notice of Intention on July 5, 2012.
5. The Applicant requires an extension of the stay of proceedings in order to continue with its financial restructuring and a proposal to its creditors, and most immediately to secure interim financing to fund operations from October 15, 2012 onward.
6. The extension of the stay of proceedings is appropriate because:
 - (a) the Applicant has acted, and is acting, in good faith and with due diligence;
 - (b) the Applicant will likely be able to make a viable proposal if the extension it is applying for is granted; and
 - (c) no creditor will be materially prejudiced if the extension the Applicant is applying for is granted.
7. Such further and other grounds as counsel may advise and this Honourable Court deem fit.

Material or evidence to be relied on:

8. Affidavit of Andrew Osis, sworn October 11, 2012, to be filed.
9. Such further and other materials as counsel may advise and this Honourable Court deem fit.

Applicable Rules:

10. N/A

Applicable Acts and Regulations:

11. *Bankruptcy and Insolvency Act*, R.S.C. 1985 c. B-3, specifically ss. 50.4(9).

Any irregularity complained of or objection relied on:

12. N/A

How the application is proposed to be heard or considered:

13. This Application is proposed to be heard in Justice Chambers before the Honourable Commercial Court Justice.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the Applicant what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the Applicant.