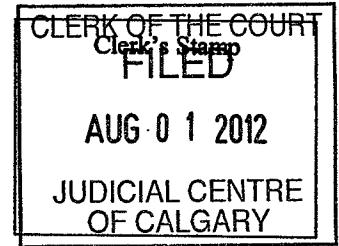


COURT FILE NUMBER 1201-06936  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE Calgary  
APPLICANT IN THE MATTER OF Q PRIVATE JETS LIMITED PARTNERSHIP  
DOCUMENT ORDER (Claims Procedure)



ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
Josef G. A. Krüger, Q.C.  
Borden Ladner Gervais LLP  
1900, 520 3<sup>rd</sup> Ave. S.W.  
Calgary, AB T2P 0R3  
Telephone: (403) 232-9563  
Facsimile: (403) 266-1395  
Email: [jkruger@blg.com](mailto:jkruger@blg.com)  
File No. 436743-000011

**DATE ON WHICH ORDER WAS PRONOUNCED:** August 1, 2012  
**LOCATION WHERE ORDER WAS PRONOUNCED:** Calgary, Alberta  
**NAME OF THE JUSTICE WHO MADE THIS ORDER:** Justice P. Jeffrey

UPON THE APPLICATION of Hardie & Kelly Inc., the Court appointed receiver and receiver manager (the "Receiver") of Q Private Jets Limited Partnership (the "Partnership"); AND UPON having read the pleading and proceedings filed herein; AND UPON hearing counsel for the Receiver, the Partnership and from any other affected parties that may be present;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

**Service**

1. The time for service of notice of this Application for this Order is hereby abridged and deemed good and sufficient.

**Claims Procedure**

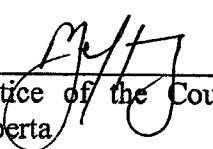
2. The Receiver shall, on or before August 7, 2012, in cooperation with the Partnership, send a notice by registered mail, email, courier service or facsimile to each known creditor of the Partnership, as those creditors as at June 26, 2012 are identified to the Receiver by the Partnership (the "Notices to Creditor" and each a "Notice to Creditor"). Notices to Creditor substantially in the form attached collectively as **Schedule "A"** to this Order are hereby approved.
3. The Receiver shall also send, together with the Notice to Creditor, a form of proof of claim (the "Proofs of Claim" and each a "Proof of Claim") to each creditor or possible creditor described above. All persons receiving a Notice to Creditor, and who intends to make a claim against the Partnership, must complete and forward to the Receiver on or before August 31, 2012, a completed Proof of Claim containing the details and amount(s) of its claim(s), and/or claiming secured status if applicable, supported by appropriate documentation. Proofs of Claim substantially in the form attached collectively as **Schedule "B"** to this Order are hereby approved.
4. The Receiver shall also arrange to publish a Notice to Creditor Advertisement in the Calgary Herald newspaper on or before August 10, 2012. An advertisement substantially in the form of Notice to Creditor Advertisement attached as **Schedule "C"** to this Order is hereby approved.
5. Any party who does not receive a Notice to Creditor and who wishes to advance a claim against the Partnership must complete and forward to the Receiver, a completed Proof of Claim supported appropriate documentation advancing its claim and claiming secured status if applicable, on or before August 31, 2012.
6. Where a Proof of Claim is sent to the Receiver by a creditor on or before the deadline of August 31, 2012 the Receiver shall review the Proof of Claim and the Receiver shall provide to the creditor a notice in writing by registered mail, email, courier service or facsimile as to whether the claim set out in the Proof of Claim is accepted, disputed in whole, or disputed in part. Where the claim is disputed in whole or in part, the Receiver

shall prepare and issue its written reasons for the dispute (the "Notices of Dispute" and each a "Notice of Dispute"). Notices of Dispute substantially in the form attached as Schedule "D" to this Order are hereby approved. Notices of Dispute will be issued no later than September 28, 2012.

7. Where a creditor wishes to challenge a Notice of Dispute, the creditor must notify the Receiver of its objection in writing by registered mail, email, courier service or facsimile within 15 days of the date of the Notice of Dispute. The creditor shall thereafter serve on the Receiver, with a copy to the Partnership, a filed Application together with a supporting Affidavit in these proceedings returnable within 10 days after it gave its notice of objection, for the determination by the Court of the claim in dispute. Creditors not filing an objection to a Notice of Dispute issued by the Receiver, or failing to file an Application with a supporting Affidavit in accordance with the time period set out above shall, unless otherwise ordered by this Court, be conclusively deemed to have accepted the assessment of their claims set out in such Notice of Dispute.

8. *M.* Any *against the Partnership for payment outstanding as at June 26, 2012 ✓*  
 Claims *J.* not proven in accordance with the procedures set out above shall, unless otherwise ordered by this Court, be deemed to be forever barred and may not thereafter be advanced against the Partnership and the Receiver.

9. The Receiver shall serve a copy of this Order on all parties attending at the hearing of the within Application and the Receiver shall post a copy of this Order on its website and including the address of the website with the materials sent to creditors and claimants of the Partnership, which together shall be deemed good and sufficient service of this Order upon all interested parties.
10. The Receiver is at liberty and is hereby authorized and empowered to apply to any Court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for advice, assistance and direction as may be necessary to give full force and effect to, and in carrying out the terms of this Order.

  
 Justice of the Court of Queen's Bench of  
 Alberta

**SCHEDULE "A"**

**NOTICE TO THE CREDITORS OF  
Q PRIVATE JETS LIMITED PARTNERSHIP**

**TO: [Name and Address of Creditor]**

On June 26, 2012, Q Private Jets Limited Partnership (the "Partnership") was placed into receivership by the Alberta Court of Queen's Bench (the "Court"). Hardie & Kelly Inc. was named as receiver and receiver-manager (the "Receiver").

On August 1, 2012, the Court granted a further order prescribing a process by which the identity and status of all creditors of the Partnership and the amounts of their claims will be established (the "Claims Process Order"). A copy of the Claims Process Order may be viewed at [www.insolvency.net](http://www.insolvency.net) under the "Current Engagements" link.

Any creditor having a claim against the Partnership arising on or before June 26, 2012 of any nature whatsoever, including an unsecured, secured, contingent or unliquidated claim, is required to file, in the manner set out in this *Notice to Creditors a Proof of Claim* in the prescribed form (which has been provided to you with this *Notice to Creditors*) with the Receiver in order to participate with any distributions made under the Partnership's receivership proceedings.

Additional copies of the prescribed *Proof of Claim* form can be obtained by contacting the Receiver at (403) 252-1766 or can be downloaded from the Receiver's website at: [www.insolvency.net](http://www.insolvency.net) under the "Current Engagements" link.

Any creditor who chooses to file a Proof of Claim is required to provide whatever documentation they may have to support their claim against the Partnership, such as contracts, invoices, bills of lading, and shipping receipts, in relation to the goods and/or services provided to the Partnership in the appropriate currency under which their claim arose.

**All *Proofs of Claim* forms, together with the required supporting documentation, must be delivered, sent by facsimile or mailed to Hardie & Kelly Inc. at 206, 5800 – 2<sup>nd</sup> Street S.W., Calgary, Alberta, T2H 0H2, fax: (403) 640-0591, to the attention of Marc Kelly, on or before 5:00 p.m. Mountain Daylight Time on August 31, 2012 (the "Claims Bar Date").**

All claims must account for the following:

- a) All claims must be adjusted for equipment and/or other assets released by the Partnership to the creditors whether by court order or otherwise; and
- b) Where a creditor of the Partnership is claiming an offset against all or a portion of amounts owing by the Partnership, full particulars of the offset must be included.

**All claims received by the Receiver, or in the case of mailing, postmarked, after the Claims Bar Date will, unless otherwise ordered by the Court, be forever extinguished, barred, and will not participate in any distributions in the receivership proceedings.**

The Receiver will accumulate the *Proof of Claim* forms and on or before September 28, 2012, provide to the creditor a notice in writing by registered mail, by courier service, email or facsimile as to whether the claim is accepted, disputed in whole or disputed in part. Where the claim is disputed in whole or in part, the Receiver will concurrently issue a *Notice of Dispute* (the "Notice of Dispute") indicating the reasons for the dispute.

**(SEE REVERSE – CONTINUED)**

Where a creditor objects to a *Notice of Dispute*, the creditor shall notify the Receiver of its objections in writing (the "Notice of Objection") by registered mail, courier service, email or facsimile, within fifteen (15) days of the date of the *Notice of Dispute*. The creditor shall thereafter serve on the Receiver a filed Application with a supporting Affidavit in the Partnership's receivership proceedings, returnable within ten (10) calendar days after it gave its *Notice of Objection*, for the determination by the Court of the claim in dispute.

**A creditor not filing a *Notice of Objection* to a *Notice of Dispute* issued by the Receiver shall, unless otherwise ordered by the Court, be conclusively deemed to have accepted the assessment of its claim as set out in such *Notice of Dispute*.**

Hardie & Kelly Inc., in its capacity as  
Receiver of Q Private Jets Limited Partnership

Dated the 1<sup>st</sup> day of August, 2012.

SCHEDULE "B"

Action No.: 1201-06936

THE COURT OF QUEEN'S BENCH OF ALBERTA JUDICIAL DISTRICT OF CALGARY IN THE MATTER OF Q PRIVATE JETS LIMITED PARTNERSHIP

Proof of Claim Q PRIVATE JETS LIMITED PARTNERSHIP (the "Partnership") For Claims Arising Before June 26, 2012 (See Reverse for Instructions)

Regarding the claim of \_\_\_\_\_ (referred to in this form as "the creditor"). (name of creditor)

All notices or correspondence regarding this claim are to be forwarded to the creditor at the following address:

Street Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Prov./State: \_\_\_\_\_ Postal/ZipCode: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Attention: \_\_\_\_\_

I, \_\_\_\_\_ residing in the \_\_\_\_\_ (name of person signing claim) (city, town, etc.)

of \_\_\_\_\_ in the Province/State of \_\_\_\_\_ (name of city, town, etc.)

Do hereby certify that:

- 1. [ ] I am the creditor or [ ] I am \_\_\_\_\_ of the creditor. (if an officer of the company, state position or title)

2. I have knowledge of all the circumstances connected with the claim referred to in this form.

3. A. The Partnership was, as at June 26, 2012, and still is indebted to the creditor in the sum of \$ \_\_\_\_\_ as shown by the statement of account attached hereto and marked Schedule "A". Claims should not include the value of goods and/or services supplied or claims arising after June 26, 2012. If a creditor's claim is to be reduced by deducting any counter claims to which the Partnership is entitled and/or amounts associated with the return of equipment and/or assets by the Partnership, please specify.

The statement of account must specify the vouchers and all other evidence in support of the claim including contracts, invoices, bills of lading, shipping receipts, and evidence of the date and location of the delivery of all services and materials. Any claim for interest must be supported by contractual documentation evidencing the entitlement to interest.

B. The indebtedness referred to in paragraph 3. A. is in the following currency:

- [ ] Canadian Dollars [ ] United States Dollars [ ] Other (Specify) \_\_\_\_\_

4. The claim is an:

- A. Unsecured claim. \$ \_\_\_\_\_. In respect to the said debt, the creditor does not and has not since June 26, 2012, held any assets of the debtor as security.
- B. Secured claim. \$ \_\_\_\_\_. In respect of the said debt, the creditor holds assets of the debtor valued at \$ \_\_\_\_\_ as security:  
*(Provide full particulars of the security, including the date on which the security was given and the value at which the creditor assesses the security together with the basis of valuation, and attach a copy of the security documents as Schedule "B")*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.  
*(insert city/town and date of signature)*

\_\_\_\_\_  
Witness \_\_\_\_\_  
*(signature of individual completing this form)*

**Must be signed and witnessed**

**Instructions for Completing Notice of Claim Form**

In completing the attached form, your attention is directed to the notes on the form and to the following requirements:

1. The form must be completed by an individual and not by a corporation. If you are acting for a corporation or other person, you must state the capacity in which you are acting, such as, "Credit Manager", "Treasurer", "Authorized Agent", etc., and the full legal name of the party you represent.
2. The person signing the form must have knowledge of the circumstances connected with the claim.
3. A. A Statement of Account containing details of secured and unsecured claims, and if applicable, of the amount due in respect of property claims, and must be attached and marked Schedule "A". Claims should not include the value of goods and/or services arising after June 26, 2012. It is necessary that all creditors indicate the date and location of the delivery of all goods and/or services. Any amounts claimed as interest should be clearly noted as being for interest.  
 B. Tick the appropriate currency.
4. The nature of the claim must be indicated by ticking the type of claim which applies.

Ticking (A) indicates the claim is unsecured; and

Ticking (B) indicates the claim is secured, such as a mortgage, lease, or other security interest, and the value at which the creditor assesses the security must be inserted, together with the basis of valuation. Details of each item of security held should be attached as Schedule "B" and submitted with a copy of the chattel mortgage, conditional sales contract, security agreement, etc.

A creditor may have separate claims in different categories, in which case a separate claim form must be submitted for each claim.

5. The person signing the form must insert the place and date in the space provided and the signature must be witnessed.

Send a copy of the completed Proof of claim by August 31, 2012, to the Receiver at the below addresses:

**Hardie & Kelly Inc.**  
**Attn: Marc Kelly**  
**110, 5800 – 2<sup>nd</sup> Street SW**  
**Calgary, Alberta**  
**T2H 0H2**  
**Phone: (403) 252-1766**  
**Fax: (403) 640-0591**

Additional information regarding the Partnership and the claims process, as well as copies of claims documents may be obtained from the "*Current Engagements*" section of the Receiver's website found at [www.insolvency.net](http://www.insolvency.net). If there are any questions in completing the *Proof of Claim*, please contact the office of the Receiver.

**ANY CLAIM NOT FILED WITH THE RECEIVER BY 5:00 P.M. MOUNTAIN DAYLIGHT TIME ON AUGUST 31, 2012 WILL, UNLESS OTHERWISE ORDERED BY THE ALBERTA COURT OF QUEEN'S BENCH, BE BARRED.**



## SCHEDULE "C"

### NOTICE TO THE CREDITORS OF Q PRIVATE JETS LIMITED PARTNERSHIP

On June 26, 2012, Q Private Jets Limited Partnership (the "Partnership") was placed into receivership by the Alberta Court of Queen's Bench (the "Court"). Hardie & Kelly Inc. was named as receiver and receiver-manager (the "Receiver").

On August 1, 2012, the Court granted a further order prescribing a process by which the identity and status of all creditors of the Partnership and the amounts of their claims will be established (the "Claims Process Order"). A copy of the Claims Process Order may be viewed at [www.insolvency.net](http://www.insolvency.net) under the "Current Engagements" link.

Any creditor having a claim against the Partnership arising on or before June 26, 2012 of any nature whatsoever, including an unsecured, secured, contingent or unliquidated claim, is required to file, in the manner set out in this *Notice to Creditors* a *Proof of Claim* in the prescribed form (which has been provided to you with this *Notice to Creditors*) with the Receiver in order to participate with any distributions made under the Partnership's receivership proceedings.

Additional copies of the prescribed *Proof of Claim* form can be obtained by contacting the Receiver at (403) 252-1766 or can be downloaded from the Receiver's website at: [www.insolvency.net](http://www.insolvency.net) under the "Current Engagements" link.

Any creditor who chooses to file a *Proof of Claim* is required to provide whatever documentation they may have to support their claim against the Partnership, such as contracts, invoices, bills of lading, and shipping receipts, in relation to the goods and/or services provided to the Partnership in the appropriate currency under which their claim arose.

**All *Proofs of Claim* forms, together with the required supporting documentation, must be delivered, sent by facsimile or mailed to Hardie & Kelly Inc. at 110, 5800 – 2<sup>nd</sup> Street S.W., Calgary, Alberta, T2H 0H2, fax: (403) 640-0591, to the attention of Marc Kelly, on or before 5:00 p.m. Mountain Daylight Time on August 31, 2012 (the "Claims Bar Date").**

All claims must account for the following:

- c) All claims must be adjusted for equipment and/or other assets released by the Partnership to the creditors whether by court order or otherwise; and
- d) Where a creditor of the Partnership is claiming an offset against all or a portion of amounts owing by the Partnership, full particulars of the offset must be included.

**All claims received by the Receiver, or in the case of mailing, postmarked, after the Claims Bar Date will, unless otherwise ordered by the Court, be forever extinguished, barred, and will not participate in any distributions in the receivership proceedings.**

Hardie & Kelly Inc., in its capacity as  
Receiver of Q Private Jets Limited Partnership

Dated the 1<sup>st</sup> day of August, 2012 in Calgary, Alberta, Canada



**SCHEDULE "D"**

**Notice of Dispute of Claim**

**by**

**Hardie & Kelly Inc., as Receiver for Q Private Jets Limited Partnership  
(the "Receiver")**

Take note that the **NOTICE OF CLAIM** of

\_\_\_\_\_ **("Creditor") is**

**DISPUTED**

The Receiver disputes:

\_\_\_ the whole amount of your claim; or

\_\_\_ part of your claim in the amount of \$ \_\_\_\_\_ **(Amount disallowed)**; and/or

\_\_\_ your claim of secured status;

for the following reason(s):

**If you wish to challenge this Notice of Dispute you must:**

- within fifteen (15) days of receipt of this Notice of Dispute, notify the Receiver in writing of your objection to this Notice of Dispute by registered mail, courier service or facsimile to the address or fax number below; and,
- within ten (10) calendar days after you give your notice of objection to the Receiver you must file with the Court of Queen's Bench of Alberta and serve on the Receiver, an Application in Q Private Jets Limited Partnership's receivership proceedings and an Affidavit containing all supporting documentation for the determination by the Court of your disputed claim.

**If you do not file an objection to this Notice of Dispute or if you fail to file an Application with supporting Affidavit within the period prescribed above, thereafter you will, otherwise ordered by the Court, be conclusively deemed to have accepted the assessment of your claims set out in this Notice of Dispute.**

Address for Service of Objections to Notice of Dispute and Application:

Hardie & Kelly Inc.  
110, 5800 – 2nd Street S.W.  
Calgary, Alberta T2H 0H2  
Attention: Marc Kelly  
Telephone: (403) 252-1766  
Fax: (403) 640-0591

Dated at Calgary, Alberta this \_\_\_\_ day of \_\_\_\_\_, 2012.

Hardie & Kelly Inc.

Per: \_\_\_\_\_

cc Borden Ladner Gervais – Attention: Josef G. A. Krüger, Q.C.