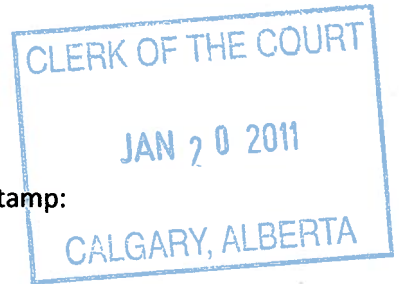


Form 27  
[Rules 6.3 and 10.52(1)]



Clerk's stamp:

COURT FILE NUMBER  
COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE  
PLAINTIFF(S)  
DEFENDANT(S)

1001-03215

DOCUMENT

CALGARY  
**FIRST CALGARY SAVINGS & CREDIT UNION LTD.  
PERERA SHAWNEE LTD., PERERA DEVELOPMENT  
CORPORATION, DON L. PERERA and SHIRANIE M.  
PERERA**  
**APPLICATION BY THE CANADIAN ASSOCIATION OF  
INSOLVENCY AND RESTRUCTURING PROFESSIONALS  
AND THE ALBERTA ASSOCIATION OF INSOLVENCY  
AND RESTRUCTURING PROFESSIONALS**

ADDRESS FOR SERVICE AND CONTACT  
INFORMATION OF PARTY FILING THIS  
DOCUMENT



**FRASER MILNER CASGRAIN LLP**  
Bankers Court  
15<sup>th</sup> Floor, 850 - 2<sup>nd</sup> Street S.W.  
Calgary, Alberta T2P 0R8  
**Attention: David W. Mann / Rebecca L. Lewis**  
Ph. (403) 268-7097/6354 Fx. (403) 268-3100  
File No.: 545112-1

**NOTICE TO RESPONDENT(S)**

This application is made on behalf of the Canadian Association of Insolvency and Restructuring Professionals ("CAIRP") and the Alberta Association of Insolvency and Restructuring Professionals ("AAIRP", CAIRP and AAIRP are collectively the "Associations") in the above noted proceedings. You are a respondent.

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

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

Date	January 24, 2011
Time	2:00 pm
Where	The Court of Queen's Bench of Alberta, Calgary Courts Centre, 601 – 5 <sup>th</sup> Street S.W., Calgary, AB T2P 5P7
Before Whom	The Honourable Madam Justice A. Kent

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

**Remedy claimed or sought:**

1. Declaring service of notice of this application and the supporting materials to be good and sufficient, and abridging the time therefor, if necessary.
2. An Order, pursuant to Rule 2.10 of the Alberta *Rules of Court*, granting the Associations status to intervene in the Application by Deloitte and Touche Inc. in its capacity as Court-appointed receiver and manager of Perera Development Corporation and Perera Shawnee Ltd. (the "Receiver"), returnable January 24, 2011, in this Action.
3. A direction that the Receiver will report to the Court from time to time, which reporting need not be in Affidavit form and such Reports shall be considered as evidence in making decisions about an application, unless otherwise ordered by the Court.

**Grounds for making this application:**

4. On January 14, 2011, the Receiver, through its counsel, filed an Application, returnable January 24, 2011, for an Order to amend the Initial Order in these proceedings to allow the Receiver to file its updates to the Court through Reports and not through Affidavits.
5. Pursuant to Rule 2.10 of the Alberta *Rules of Court*, the Court may grant status to a person to intervene in an action subject to any terms and conditions and with the rights and privileges specified by the Court.
6. A decision of the Court on the admissibility of evidence by receivers could impact the practice of the members of the Associations. The Associations will be specifically affected by the decision of the Court on this issue and they have special expertise and insight to bring concerning the substance of this matter.

**Material or evidence to be relied on:**

7. Affidavit of Bruce Alger sworn January 20, 2011.
8. The Report of the Receiver dated January 14, 2011.
9. Such further and other materials as counsel for the Associations may advise and this Honourable Court may deem necessary

**Applicable Rules:**

10. Rule 1.2, 1.4, 2.10, 6.11, 6.47 and Part 6 of the Alberta *Rules of Court*.
11. Such further and other Rules as counsel for the Associations may advise and this Honourable Court may deem necessary.

**Applicable Acts and Regulations:**

12. *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended, and the regulations thereto.
13. *Business Corporations Act*, R.S.A. c. B-9, as amended.

14. *Civil Enforcement Regulations*, Alta. Reg. 276/1995.
15. *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended.
16. *Judicature Act*, R.S.A. 2000, c. J-2, as amended.
17. *Personal Property Security Act*, R.S.A. 2000, c. P-7, as amended.
18. Such further and other acts and regulations as counsel for the Associations may advise and this Honourable Court may deem necessary.

**How the application is proposed to be heard or considered:**

19. In person with some or all of the parties present before the Honourable Madam Justice A. Kent in Chambers with call-in availability for those parties unable to attend.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) 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 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.

Court File Number:  
 Court of Queen's Bench of Alberta  
 Judicial Centre of Calgary  
 Plaintiffs:  
 Defendants:

1001-03215

FIRST CALGARY SAVINGS & CREDIT UNION LTD.  
 PERERA SHAWNEE LTD., PERERA DEVELOPMENT  
 CORPORATION, DON L. PERERA AND SHIRANIE M.  
 PERERA  
 PERERA SHAWNEE LTD., DON L. PERERA AND  
 SHIRANIE M. PERERA  
 FIRST CALGARY SAVINGS & CREDIT UNION LTD.  
 AND DELOITTE & TOUCHÉ LLP

Plaintiffs by Counterclaim

Defendants by Counterclaim

**SERVICE LIST**  
**AS AT JANUARY 20, 2011**

<i>Service Recipient</i>	<i>Telephone</i>	<i>Fax</i>	<i>Recipient Status</i>
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<b>Deloitte &amp; Touche Inc.</b> 3000-700 2 Street SW Calgary AB T2R 1J8  Greg Stevens gstevens@deloitte.ca  Victor Kroeger vkroeger@deloitte.ca  David Adams davidadams@deloitte.ca  Stefan DuChene stduchene@deloitte.ca	403 267-1700	403 264-2871	Receiver of Debtors
<b>Osler, Hoskin &amp; Harcourt LLP</b> 2500-450 1 Street SW Calgary AB T2P 5H1  Christa Nicholson cnicholson@osler.com  Morgan Fowler mfowler@osler.com	403 260-7025  403 260-7057	403 260-7024	Deloitte & Touche Inc.

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<b>Hardie &amp; Kelly Inc.</b> 206-5800 2 Street SW Calgary AB T2H 0H2  Marc Kelly mkelly@insolvency.net			Trustee
<b>City of Calgary Law Department</b> 12 Flr-800 Macleod Trail SE Calgary AB T2G 2M3  Paul Frank paul.frank@calgary.ca  Jocelyne J. Caldwell jocelyne.caldwell@calgary.ca	403 268-1802	403 268-4634	
<b>McLennan Ross LLP</b> 1600-300 5 Avenue SW Calgary AB T2P 3C4  Jamie Flanagan jflanagan@mross.com  James L. Lebo jlebo@mross.com	403 303-9102  403 303-9111	403 543-9150	Emco Corporation  1412705 Alberta Ltd.  C. & T. Reinforcing Steel Co. (Alberta) Ltd.
<b>Vogel &amp; Company LLP</b> 1050-10201 Southport Road SW Calgary AB T2W 4X9  Bernice Wong bwong@vogelcomp.com	403 692-5214	403 253-8036	Waldemar and Maria Geier  Purchaser (Phase One and Phase Two)
<b>Bennett Jones LLP</b> 4500-855-2 Street SW Calgary AB T2P 4K7  Lawrence Ator atorl@bennettjones.com  Chris Simard simardc@bennettjones.com	403 298-3148  403 298-4485	403 265-7219	Mircom Distribution (BC) Inc.  Trustee

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<b>Ranchlands Legal Services</b> 307 Ranch Estates Drive NW Calgary AB T3G 1K7  Emerson Dunlop emerson@ranchlandslaw.ca	403 875-1729	403 375-0520	
<b>Warren Tettensor Amantea LLP</b> 1413 2 Street SW Calgary AB T2R 0W7  Tara L. Petersen petersen@warren.ab.ca  Joe Amantea amantea@warren.ab.ca	403 228-7007  403 228-8383  403 228-8374	403 244-1948	Alberta New Home Warranty Program  JMMK Plumbing & Heating Inc.  Global Stone Inc.  Novastone Inc.
<b>Burnet, Duckworth &amp; Palmer LLP</b> 1400-350 7 Avenue SW Calgary AB T2P 3N9  Kevin S. Burron kburron@bdplaw.com	403 260-0189	403 260-0332	
<b>Coast Wholesale Appliances Ltd./Coast Wholesale Appliances LP</b> 6128 Centre Street SE Calgary AB T2H 0C4  Al Styles astyles@coastappliances.com			
<b>Hoffman Dorchik LLP</b> 600-5920 Macleod Trail S Calgary Ab T2H 0K2 <i>serve by fax</i>	403 258-0800	403 253-0738	Coast Wholesale Appliances GP Inc..
<b>Smith Mack Lamarsh</b> 450-808 4 Avenue SW Calgary AB T2P 3E8  Karen D. Jacobson kdjacobs@telusplanet.net	403 234-7779	403 263-7897	United Rentals of Canada, Inc.

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<b>Walsh Wilkins Creighton LLP</b> 2800-801 6 Avenue SW Calgary AB T2P 4A3  Paul J. Piddie ppidde@wwclawyers.com	403 267-8421	403 264-9400	Aluma Systems Inc.
<b>The Finishing Centre Ltd.</b> 2719 5 Avenue NE Calgary AB T2A 2L6  Chris Van Hees serve by <b>regular mail</b>			
<b>Weeks Law</b> 1000 888 3 Street. SW Calgary AB T2P 5C5  Kevin Weeks kevweeks@weekslaw.com	403 209-4988	403 444-6827	Ihab El Saghir
<b>Gregory Law Office</b> 1250-717 7 Avenue SW Calgary AB T2P 0Z3  Russell Q. Gregory gregory.law@hotmail.com	403 243-8363	403 770-8577	Doka Canada Ltd.
<b>Fraser Milner Casgrain LLP</b> 15 Flr-850 2 Street SW Calgary AB T2P 0R8  Corey Sandquist corey.sandquist@fmc-law.com  David W. Mann david.mann@fmc-law.com  B.A.R. (Quincy) Smith quincy.smith@fmc-law.com  Rebecca L. Lewis rebecca.lewis@fmc-law.com	403 268-6359  403 268-7097  403 268-6881  403 268-6354	403 268-3100	Spring Advertising Ltd. CAIRP/AAIRP

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<b>Justice Canada</b> 510-606 4 Street SW Calgary AB T2P 1T1  Jill Medhurst-Tivadar jill.medhurst-tivadar@justice.gc.ca	403 299-3985	403 299-3966	Canada Revenue Agency
<b>Ritchie Mills Law Office</b> 102-10171 Saskatchewan Drive Edmonton AB T6E 4R5  Neil Fenna n.fenna@rmlo.com	780 431-1444		Adler Firestopping Ltd.
<b>Gowling LaFleur Henderson LLP</b> 1400-700 2 Street SW Calgary AB T2P 4V5  Stephen Carter-Edwards stephen.carter-edwards@gowlings.com	403 292-9875	403 695-3475	Citywide Door & Hardware Inc.
<b>Precision Aluminum Manufacturing Ltd.</b> 10-5935 35 Street SE Calgary AB T2C 2H1  Warren Moore <i>serve by fax</i>	403 301-3790	(403) 301-3795	
<b>Kennedy Agrios LLP</b> 1325-10180-101 Street Edmonton AB T5J 3S4  Ronald Haggett rhaggett@kennedyagrios.com	780 969-6900		Kordick Enterprises Ltd.



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<b>Peacock Linder &amp; Halt LLP</b> 850-6078 Avenue SW Calgary AB T2P 0A7  G. Stephen Panunto spanunto@plhlaw.ca	403 296-2280	403 296-2299	Nordstar Kitchens Ltd.
<b>Bryan &amp; Company</b> 1200-6457 Avenue SW Calgary AB T2P 4G8  Ryan J. Lee Chee rjleechee@bryanco-cgy.com	403 269-7220	403 269-9304	Domenico Fanelli
<b>Pittman MacIsaac &amp; Roy</b> 2600-144 4 Avenue SW Calgary AB T2P 3N4  Shaun T. MacIsaac stm@pmrlaw.ca	403 237-6566	403 237-6594	Distinctive Floors Ltd.
<b>Robert Schuett Professional Corporation</b> 200-602 11 Ave SW Calgary, Alberta T2R 1J8  Adrianna Worman adrianna.worman@schuettlaw.com	403 705-1267	403 705-1265	Ridgeline Sheet Metal Inc.  Peace Lutheran Church of Calgary 759450 Alberta Ltd. o/a Interior Finishing
<b>Tiro Clarke Professional Corporation</b> 301-522 11 Avenue SW Calgary AB T2R 0C8  tiro@tiroclarke.com trina@tiroclarke.com			Modern Industrial Rentals (1978) Ltd.
<b>Radke Law Office</b> 205-5917 1A Street SW Calgary AB T2H 0G4  Allan Radke aradke@radkeandassociates.com	403 252-4466	403 258-0695	On Track Excavating Ltd.
<b>Field Law LLP</b> 604 1 Street SW Calgary AB T2P 1M6  Ian MacDonald, Q.C. imacdonald@fieldlaw.com			1050299 Alberta Ltd./Colorado Hilmer

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<b>Canadian Western Bank</b> 6127 Barlow Trail SE Calgary AB T2C 4W8 serve by fax	403 269-9882	403 269-9883	
<b>Workers' Compensation Board/Collection Unit</b> 8 Flr.-9925 107 Street Edmonton AB T5J 2S5 serve by fax	780 498-3999	780 498-7871	
<b>Alberta New Home Warranty Program</b> 301-30 Springborough Boulevard SW Calgary AB T3H 0N9 serve by <u>regular mail</u>			
<b>Natalie Bronstein</b> 9-64 Woodacres Crescent SW Calgary AB T2W 4V6 nbronstein216@gmail.com  <b>Private &amp; Confidential</b> c/o McLeod & Company LLP 3 Flr-14505 Bannister Road SE Calgary, Alberta T2X 3J3 serve by <u>regular mail</u>	(403) 225-6411		Purchaser
<b>Judith Poole</b> 1558 Lake Bonavista Drive SE Calgary AB T2J 3H1 judypoole@pereradevelopments.com	403 617-2501	403 212-5870	Purchaser
<b>Beaumont Church LLP</b> 300-2912 Memorial Drive SE Calgary AB T2A 6R1  Jamie Clark jamie.clark@beaumontchurch.com	403 261-8340	403 264-0478	Agam Consulting &/or nominee Purchaser

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<b>Marilyn S. Meek/Denis M. Meek</b> 51-2979 Panorama Drive Coquitlam BC V3E 2W8 mmeek@shaw.ca	604 942-8787	604 942-8787	Purchaser
<b>Jane O'Neil/Luther Cutts</b> 11 Palomino Boulevard Calgary AB T3Z 1B9 janelinden@hotmail.com	403 286-1989		Purchaser
<b>Rose Robertson</b> 2578 Westhill Close West Vancouver BC V7S 3E4 610granville@gmail.com hard copy by <del>regular mail</del>	604 922-7673	604 922-7673	Purchaser
<b>Donald J. Robertson</b> 3107-610 Granville Street Vancouver BC V6C 3T3 610granville@gmail.com	604 922-7673	604 922-7673	Purchaser

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<b>Insight Dynamic Solutions</b> c/o Don Lal Perera 5 Mount Alberta View SE Calgary AB T2Z 3G6 lperera@insighteng.com	403 257-4564 403 242-2138	403 257-4570	Purchaser
<b>Frank Henzler</b> 1021814-29 Avenue SW Calgary AB T2T 1M8 frankhenzler@hotmail.com	403 650-8400		Purchaser
<b>Marivic Protacio</b> 134 Everwillow Circle Calgary AB T2Y 4V1 mavictp@yahoo.ca			Purchaser
<b>Yaletown Investments</b> c/o Galib Kara 907-583 Beach Crescent Vancouver BC V6Z 3E6 galibkara@novuscom.net			Purchaser
<b>Elaine Semkuley/Myron Semkuley</b> 288 Canterville Drive SW Calgary AB T2W 3X2 serve by <del>regular mail</del>	403 251-1300	403 251-4679	Purchaser
<b>Rent-Me Storage Systems Inc.</b> c/o Robb & Evenson Professional Corp 506-933 17 Avenue SW Calgary AB T2T 5R6 Calvin C. Robb crobb@robbevenson.com			
<b>1165767 Alberta Ltd.</b> 212-339 50 Avenue SE Calgary AB T2G 2B3 Harold Coates serve by <del>regular mail</del>			

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<b>Flashings Plus Ltd.</b> 30 Falconer Terrace N.E. Calgary AB T3J 1W4  Clive Scott serve by <u>regular mail</u>			
<b>Kozmyk Holdings/Shaw Properties</b> c/o Barry Kozmyk 110-7330 Fisher Street SE Calgary AB T2H 2H8 serve by <u>regular mail</u>			Purchaser (Phase Two)
<b>Frostbite Holdings Inc.</b> c/o Janet Frost 14 Noble Court Port Moody, BC V3H 3Z5  jfrost36@shaw.ca			Purchaser (Phase Two)
<b>Kathleen Davis</b> Kathleen S. Davis Professional Corporation  kathleen@ksdavislaw.ca	403 543-8580		
<b>First Choice Post Construction Cleaning</b> 216 Stanley Avenue Okotoks AB T1S 1M4  Debbie Lorenz serve by <u>regular mail</u>			
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<b>Aladen Painting Ltd.</b> 311 Canterbury Drive SW Calgary AB T2W 1H7  Mazen Sanaoubar serve by <u>regular mail</u>	403 238-9752		
<b>Inland Pipe A division of Lehigh Hanson            Materials Ltd.</b> 12640 Inland Way Edmonton AB T5V 1K2  Dennis Odding mbillingham@lehighcement.com			

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<b>Cooney's Trucking Ltd.</b> 409 Lakeside Greens Place Chestermere AB T1X 1C6  Chris Cooney serve by <b>regular mail</b>			
<b>Macs Landscaping &amp; Concrete</b> 194 Crystal Shores Drive Okotoks AB T1S 2L1  Chris Makowsky cjmak@telus.net			
<b>OMC Renovations</b> 329 2 Avenue P.O. Box 34 Cluny AB T0J 0S0  Orel R. Madden omc-renovations@hotmail.ca	705 288-0886		
Craig Law LLP 3408 114 Avenue SE Calgary AB T2Z 3V6  R. Kipp Craig kipp@craiglaw.ca	403 297-0131	403 297-0133	Morwest Crane Services
<b>Beaumont Church LLP</b> 300-2912 Memorial Drive SE Calgary AB T2A 6R1  John Cumming john.cumming@beaumontchurch.com	403 264-0000	403 264-0478	Kelly James Welding Ltd. (Phase Two and Three Lien Holder)
<b>Alberta Specialty Services Ltd.</b> Rear Bay 4-2705 5 Avenue NE Calgary AB T2A 2L6  ethel@albertaspecialtyservices.com		403 253-4560	Phase Two and Three Lien Holder

<b>Service Recipient</b>	<b>Telephone</b>	<b>Fax</b>	<b>Recipient Status</b>
<b>Kerridge Concrete Ltd.</b> 9716 44 Street. SE Calgary AB T2C 2N4 serve by <u>regular mail</u>			Phase Two and Three Lien Holder
<b>AGAM Consulting Inc.</b> 425 78 Avenue SW Calgary AB T2V 5K5  Anwar Dean serve by <u>regular mail</u>			Phase Two Lien Holder
<b>1399855 Alberta Ltd.</b> <b>1399830 Alberta Ltd.</b> <b>1399827 Alberta Ltd.</b> 92 Cimarron Vista Circle Okotoks AB T1S 0H8 serve by <u>regular mail</u>			Phase Two Lien Holder
<b>Williams Engineering Canada Inc.</b> N195-3015 5 Avenue NE Calgary AB T2A 6T8 serve by <u>regular mail</u>			Phase Three Lien Holder
<b>Macleod Dixon LLP</b> 3700 400 3 Avenue SW Calgary AB T2P 4H2  Kevin Barr bark@macleoddixon.com	403 267-8142	403 264-5973	Unsecured Creditors
<b>Servus Credit Union Ltd.</b> c/o 601 4901 48 Street Red Deer AB T4N 6M4 serve by <u>fax</u>	403 343-0144	403 242-4547	