

ACTION NO. 1001-03215

IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF CALGARY

BETWEEN:

FIRST CALGARY SAVINGS & CREDIT UNION LTD.

Plaintiff

and

PERERA SHAWNEE LTD., PERERA DEVELOPMENT CORPORATION, DON L.  
PERERA and SHIRANIE M. PERERA

Defendants

AND BETWEEN:

PERERA SHAWNEE LTD., DON L. PERERA and SHIRANIE M. PERERA

Plaintiffs by Counterclaim

and

FIRST CALGARY SAVINGS & CREDIT UNION LTD. and DELOITTE & TOUCHE  
LLP

I hereby certify this to be a true copy of  
the original Order

Dated this 22 day of Oct 2010

Defendants by Counterclaim

[Signature]  
for Clerk of the Court

BEFORE THE HONOURABLE  
MADAM JUSTICE A. KENT  
IN CHAMBERS

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)  
)  
)

AT THE COURTHOUSE, IN THE CITY  
OF CALGARY, IN THE PROVINCE OF  
ALBERTA, ON FRIDAY, THE 15TH  
DAY OF OCTOBER, 2010

ADJOURNMENT ORDER

UPON the application of Deloitte & Touche Inc., in its capacity as Court-appointed receiver and manager of Perera Development Corporation and Perera Shawnee Ltd. and not in its personal capacity (the "Receiver"); AND UPON noting the Receiver's applications brought by Notice of

Motion filed October 7, 2010, returnable October 12, 2010 (the “**October 12 Motion**”) and the materials filed and referred to in support thereof; **AND UPON** noting the Receivership Order issued by Madam Justice A. Kent on March 3, 2010; **AND UPON** noting that on the hearing of the October 12 Motion, among other things, the Orders referred to in paragraphs 3, 6 and 7 thereof (the “**Orders**”) were granted but on the basis that it may be necessary to return to Court on October 15, 2010 to report further about the Lawsuits (as hereinafter defined) and make further submissions about the Orders; **AND UPON** the Receiver attending in Court on October 15, 2010 to address the Lawsuits and the Orders; **AND UPON** hearing from counsel for the Receiver and noting that no other counsel were present; **IT IS HEREBY ORDERED AND DECLARED THAT:**

1. The Orders are hereby vacated and the applications for same referred to in paragraphs 3, 6 and 7 of the October 12 Motion are hereby adjourned to October 27, 2010 at 9:00 a.m., at which time any other applications which the Receiver wishes to bring may also be made returnable.
2. The Receiver is hereby directed to disclose to prospective purchasers (including the purchasers of Units 802 and 804 which are the subject of the Order being applied for pursuant to paragraph 3 of the October 12 Motion), through the Receiver's form of Offer to Purchase condominium units in the Project (as defined in the Third Report of the Receiver, dated October 7, 2010), the existence of any lawsuits commenced against Condominium Corporation No. 0915321 (the “**Lawsuits**”) known to it as of October 14, 2010. Further and thereafter, if asked by a prospective purchaser, the Receiver will obtain for that prospective purchaser and orally provide to it an update as to the existence of any additional Lawsuits at that time known to the Receiver.
3. In addition to the October 27, 2010 hearing date referred to above, an additional hearing date of October 29, 2010 (from 9:00 a.m. to 11:00 a.m.) is hereby made available in the within proceedings should the Receiver require it.

J.C.Q.B.A.

*R*  
Ron Stevens, J.  
on behalf of  
Kent, J

ENTERED this 22 day of October, 2010

*A. Lepetich*

Clerk of the Court



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LTD.**

**Plaintiff**

**and**

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DEVELOPMENT CORPORATION, DON L.  
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**Defendants**

**AND BETWEEN:**

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SHIRANIE M. PERERA**

**Plaintiffs by Counterclaim**

**and**

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LTD. and DELOITTE & TOUCHE LLP**

**Defendants by Counterclaim**

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**ADJOURNMENT ORDER**

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**OSLER, HOSKIN & HARCOURT LLP**

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