

VANCOUVER

Form 6 (Rules 9(3)(a)(i), 33(1)(a) and 36(2)(a)(i))

JUN 18 2018

Court of Appeal File No. CA45325

COURT OF APPEAL
REGISTRY

COURT OF APPEAL

BETWEEN:

INDUSTRIAL ALLIANCE INSURANCE AND FINANCIAL SERVICES INC.

RESPONDENT
(PLAINTIFF)

AND:

WEDGEMOUNT POWER LIMITED PARTNERSHIP,
WEDGEMOUNT POWER (GP) INC. and
WEDGEMOUNT POWER INC.

RESPONDENTS
(DEFENDANT)

AND:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

APPELLANT
(APPLICANT)

NOTICE OF MOTION

TO: British Columbia Hydro and Power Authority, Deloitte Restructuring Inc., in its capacity as Court-appointed receiver and manager (in such capacity, the "**Receiver**") of all of the assets, undertakings and properties of Wedgemount Power Limited Partnership, Wedgemount Power (GP) Inc. and Wedgemount Power Inc.

TAKE NOTICE THAT AN APPLICATION will be made by Industrial Alliance and Financial Services Inc. to the presiding justice at 800 Hornby Street, Vancouver, British Columbia, at 9:30 a.m. on Wednesday June 27, 2018, for an order pursuant to ss. 10 (2) and 28 of the *Court of Appeal Act*, R.S.B.C. 1996, c.77 and s. 193 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c.B-3 and *Bankruptcy and Insolvency General Rules*, C.R.C. 1978, c.368, s.31 that:

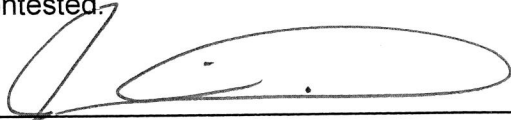
1. The Court of Appeal of British Columbia does not have jurisdiction to hear the appeal and therefore the appeal should be quashed;
2. In the alternative, the Notice of Appeal filed by the Appellant on June 1, 2018 should be struck and the appeal in this matter be dismissed;
4. The Affidavit #2 of Melinda McKie be sealed;
5. Such further relief as this Court deems to be just; and

6. Costs in favour of the Respondents.

AND TAKE NOTICE THAT in support of the application will be read the Affidavit #1 of Melinda McKie sworn on June 15, 2018, the Affidavit #2 of Melinda McKie sworn on June 15, 2018, and the affidavit of Stefanie Leduc sworn on June 15, 2018.

The applicant anticipates that this application will be contested.

Date: June 18, 2018


Signed
Jeffrey D. Bradshaw

This application will take no more than 30 minutes to be heard.

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(APPLICANT)

NOTICE OF MOTION

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JDB/msh