Form 49
[Rule 13.19]

Clerk's Stamp

COURT FILE NUMBER	
COURT	COURT OF QUEEN'S BENCH OF ALBERTA IN BANKRUPTCY AND INSOLVENCY
JUDICIAL CENTRE	CALGARY
	IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT,* R.S.C. 1985, c. C-36, as amended
APPLICANTS	LUTHERAN CHURCH – CANADA, THE ALBERTA – BRITISH COLUMBIA DISTRICT, ENCHARIS COMMUNITY HOUSING AND SERVICES, ENCHARIS MANAGEMENT AND SUPPORT SERVICES, AND LUTHERAN CHURCH – CANADA, THE ALBERTA – BRITISH COLUMBIA DISTRICT INVESTMENTS LTD.
DOCUMENT	**AFFIDAVIT**
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Bishop & McKenzie LLP 1700-530-8th Avenue SW Calgary, Alberta T2P 3S8 403-237-5550 (phone) 403-243-3623 (fax) Attention: Francis N. J. Taman File No.: 103007-003

AFFIDAVIT OF KURTIS ROBINSON

Sworn on January 22, 2015

I, KURTIS ROBINSON, of Airdrie, Alberta, SWEAR AND SAY THAT:

1. I am an Officer of the Applicants and I am authorized by all of the Applicants to depose this Affidavit and do so on their behalf. As such, I have personal knowledge of the matters hereinafter deposed, except where stated to be based on information and belief, and where so stated, I verily believe them to be true.

RELIEF REQUESTED

2. I make this Affidavit in support of an application by all of the Applicants for an Order pursuant to the *Companies' Creditors Arrangement Act,* R.S.C. 1985, c. C-36, as amended (the "*CCAA*") granting certain relief, including the following:

(a) A declaration that the Applicants are companies to which the *CCAA* applies;

(b) A stay of all proceedings and remedies taken, or that might be taken, with respect to the Applicants, their respective property and undertakings, without leave of the Court or as otherwise permitted by law;

(c) Authorizing the Applicants to carry on business in a manner consistent with the preservation of their property and maximization of value of their assets for stakeholders, including making payments and entering into contracts as necessary to continue the normal course of operations other than accepting new deposits or redeeming existing deposits in CEF and the DIL Portfolio, except for minimum statutory payments made pursuant to the RRIFs and payments made to depositors of CEF and DIL under the proposed Emergency Fund (as described later in this Affidavit);

(d) Appointing Deloitte Restructuring Inc. as Monitor of the Applicants in these proceedings;

(e) Granting an administrative charge against the Applicant's property, assets and undertakings in the amount of $300,000, as security for the reasonable professional fees and disbursements incurred by the Monitor, the Monitor's counsel and the Applicant's counsel both prior to and during the Applicants *CCAA* proceedings on the terms, and with the priority, set out in the Initial Order;

(f) Permitting the Applicants to file with the Court a plan or plans of compromise or arrangement;

(g) Certain other relief more specifically discussed below, including approving: (i) a mechanism to pay and charge for critical trades, suppliers and consultants necessary or desirable for continuing ongoing operations and for developing and communicating the plan of compromise or arrangement; and (ii) the creation of a charge to secure indemnification obligations in favour of officers and directors of the Applicants; and (iii) direction as to service of all future documents in this Action; and

(h) Such other relief as this Honourable Court may grant.

3. Each of the Applicants: (i) is incorporated in the jurisdiction of Alberta; (ii) has a bank account, or books and records, or other assets in Alberta; and (iii) has an office located in Alberta.

OVERVIEW

Background

4. The Lutheran Church – Canada ("LCC" or the "Synod"), which is not a party to these proceedings, was founded in 1988 when most of the Canadian congregations of the St. Louis, Missouri based Lutheran Church –Missouri Synod ("LCMS") formed an autonomous Canadian Church comprised of an Alberta and British Columbia district, a Central district and an East district. These districts were successors to earlier LCMS districts in Canada. The LCC includes 325 congregations across Canada.

5. While the various districts are organized to work with congregations and to advance the Synod in their designated geographic region, they are not subsidiaries of LCC nor are they controlled by it. Each district is independently incorporated. Its leadership is elected by the members of the District who reside in the designated geographic region.

6. The districts run autonomously from the Synod and in operation, the relationship is closer to the relationship between the Federal government and the Provinces than to a traditional parent/subsidiary relationship.

7. Member congregations are self-governing and autonomous. Their relationship is one of voluntary membership in LCC and the districts.

8. The LCMS established its first congregation in Stoney Plain, Alberta in 1894 and was a mission of the Missouri Synod (Minnesota District) until 1921. The congregation operated in association with a Lutheran school. The congregations in Alberta and British Columbia first organized as an independent district of the LCMS on June 30, 1921. In the 1940's LCMS began developing more of a corporate structure. In 1942, larger boards of directors were formed which replaced smaller boards and committees.

9. In 1944, Lutheran Church – Canada, the Alberta – British Columbia District (the "District") was legally incorporated as the Alberta and British Columbia District of the Evangelical Lutheran Synod of Missouri, Ohio, and Other States by an Act of the Legislature of Alberta (SA 1944, c. 82, as amended). It was continued and renamed

pursuant to the *Lutheran Church – Canada, The Alberta British Columbia District Corporation Act* (SA 1991, c. 42).

10. The purpose of the District is to conserve and promote the Christian faith, as it understands it, through various means including:

    a. strengthening congregations and their members in giving bold witness by word and by deed to the love and work of God and extending that Gospel witness into all the world;

    b. aiding congregations to establish agencies of Christian education such as elementary and secondary schools;

    c. aiding congregations by providing a variety of resources and opportunities for recognizing and expressing their faith; and

    d. providing opportunities through which its members express their Christian concern, love, and compassion in meeting human needs.

STRUCTURE

11. Attached hereto and marked as **Exhibit "A"** is a diagram depicting the corporate organization and the interrelationship of the Applicants.

12. Attached hereto and marked as **Exhibit "B"** is a copy of the *Lutheran Church – Canada, The Alberta British Columbia District Corporation Act,* SA 1991, c. 42.

13. Attached hereto and marked as **Exhibit "C"** are the results of a corporate search of each of the Applicants, other than the District, from the corporate registrar of Alberta.

The District

14. As noted above, the District was incorporated as the Alberta and British Columbia District of the Evangelical Lutheran Synod of Missouri, Ohio, and Other States in 1944 and was renamed as part of the organization of LCC in 1991. It is extra-provincially registered in British Columbia and is a registered charity. The District is controlled by a 12 person Board of Directors.

15. The District provides resources, vision, leadership and encouragement to 127 churches in Alberta and British Columbia (collectively the "Churches") through the means of three internal ministries.

16. The ministries are the Department of Stewardship and Financial Ministries, the Outreach Department, and the Parish and School Services Department.

17. The Department of Stewardship and Financial Ministries is responsible for finances in general, the Church Extension Fund ("CEF"), communications, public relations and development. The purpose of CEF is to help congregations, schools and organizations build centres for ministry, outreach and service and to allow Lutheran Christians, and others, to invest their money to facilitate the building of such centres. It is an attempt to create a partnership between investors and these organizations in reaching out to share the Good News of God's love through both words and deeds.

18. The Outreach Department allocates subsidies to parishes, coordinates the establishment of new congregations and is responsible for mission education and the development of a variety of external ministries. These external ministries include cross-cultural ministries, ministries for special needs groups, volunteer ministries, social ministries, and evangelism.

19. The Parish and School Services Department supervises work in the areas of Parish education, worship, youth, young adults, seniors, student aid and recruitment, campus ministries and Lutheran Schools.

20. Attached hereto and marked as **Exhibit "D"** are the District's most recent unaudited financial statements for the period ending January 31, 2014. The District receives income from loans and investments held within the CEF; however, the bulk of their revenue is generated by donations from the Churches, which average $1.3 million on an annual basis. Of the $1.3 million received by the District, approximately $500,000 is, in turn, paid up to LCC. Historically 35% of the donations received by the District are paid to LCC. The total donations to LCC are listed on all financial reporting that is provided to the members. For the period ended November 30, 2014, approximately $946,356.00 in donations were received by the District of which $433,333.30 has been paid to LCC.

21. In order to carry out its purposes, the District uses the donations that it receives from members to supervise and support areas of Parish education of worship, missions, stewardship, evangelism, youth, young adults, as well as seniors. It provides student aid and funds church worker recruitment as well as supporting campus ministries and Lutheran schools. It subsidizes parishes, coordinates the establishment of new congregations and the development of external ministries including cross-cultural ministries, ministries for special needs groups, volunteer ministries and social ministries.

It handles the administrative operation of assisting congregations with the operation of their churches. The District supplies the major forms of inter-District communication and organizes all major District meetings, workshops, seminars and conventions.

Church Extension Fund

22. The CEF was created as a ministry that offers District members, and others, the opportunity to invest their money in faith-based developments in the District and beyond, such as the Churches, schools and ministry facilities, and to earn interest. There are 6,083 accounts in CEF with 2,674 depositors consisting of corporations, Churches and individuals (the "CEF Depositors") with:

    a. 82% of CEF Depositors (based on dollar value) being individuals and 95% of these individuals belonging to congregations within the District; and

    b. 60% of CEF Depositors (based on dollar value) being over 70 years of age.

23. As of November 30, 2014, the total value of the deposits in the CEF (the "CEF Deposits") was approximately $95.89 million. The CEF Deposits have flexible investment terms with the CEF Depositors largely being able to redeem their funds upon making that request to the CEF. During the period from February 1 to November 30, 2014, approximately $9.29 million of CEF Deposits were redeemed. This is an average of approximately $929,000.00 per month. These funds have been paid to the CEF Depositors as redemption requests in the ordinary course of business and in accordance with the contractual obligations of the District. Attached hereto and marked as **Exhibit "E"** are blank copies of the deposit form agreements currently in place for the CEF.

24. The CEF Deposits are invested by CEF in a portfolio of assets (the "CEF Portfolio"), which was reported to total approximately $108.5 million as at November 30, 2014. The CEF Portfolio is comprised of cash and marketable securities of approximately $7.8 million and other assets totaling approximately $100.7 million. The other assets include unsecured lines of credit, mortgages and debts related to properties owned by the District, properties that the District has labeled as "trust properties", and buildings owned by member congregations.

<u>District "Trust Properties"</u>

25. The District "trust properties" are properties that either reverted back to the District when a mortgagor congregation could no longer service the debt, or were transferred by a

congregation to the District in exchange for a loan. In most of these cases, the District "trust properties" are still in use by the initial borrowers, who are member congregations.

(a) Canmore land including church building and residence building

26. The tax assessed value of this property is $991,640. The Shepherd of the Valley Lutheran Church Congregation (the "Shepherd of the Valley Congregation") paid some funds to the District on the understanding that it would own the residence building only. The church building and the residence building occupy the same parcel of land, and we are advised by the Town of Canmore that this parcel cannot be subdivided. The CEF Portfolio reports the value of the property as being approximately $247,000, which is the outstanding balance of the original loan to the Shepherd of the Valley Congregation. There is a further understanding that should the Shepherd of the Valley Congregation repay this outstanding loan balance, the District would transfer title to the entire property to the Shepherd of the Valley Congregation. Otherwise if the property is sold then this loan amount would be considered repaid. There is no agreement as to what would happen with respect to the congregation's agreed upon ownership of the residence building if the parcel was sold.

(b) Elkford property

27. The tax assessed value of this property is $309,800. The CEF Portfolio reports the value of the property as being approximately $209,000, which is the outstanding balance of the original loan to the Immanuel Lutheran Church (the "Immanuel Congregation"). The Immanuel Congregation has made some monthly lease payments, and is responsible for paying insurance, maintenance, and utilities with respect to the property. There is an understanding that should the Immanuel Congregation repay the outstanding loan balance, the District would transfer title to the property to the Immanuel Congregation.

(c) Concordia Lutheran Church, Edmonton

28. This church is located on land leased from the City of Edmonton. The lease is a 50 year lease that is in the name of the District. The term of the lease ends on June 30, 2030.

<u>St. Albert property</u>

29. In 1994, the District purchased this property for an advanced ministry site using funds from the CEF Porfolio. Shortly thereafter, the District designated 3.5 acres for King of Kings Lutheran Church (the "King of Kings Congregation") for the development of their

ministry. However, the land was never subdivided. King of Kings Congregation borrowed money from the CEF to build their church building and for the development of its school. The King of Kings Congregation loan has a balance outstanding of approximately $895,000 and is not being kept current.

30. In May 2014, the District entered into a purchase and sale agreement to sell these lands. The closing date for the sale of this property is August 21, 2015. As the contract is not complete, the District does not wish to disclose the sale price in a Court document, but has provided the sale price information to the proposed Monitor and will provide the information to the Court upon request. The offer to purchase states that 1.5 acres is to be subdivided and retained by the District as the church site. There are currently negotiations between the purchaser, the District and the King of Kings Congregation as to the location of the subdivision for the church site, and how the costs for such move would be paid.

Prince of Peace Development

31. Several of the loans relate to a development known as Prince of Peace (the "POP Development"). The POP Development is located on a quarter section of land along Highway 16 just east of the City of Calgary. Approximately $81.57 million of the POP Loans are owed by ECHS by lines of credit and secured debt (the "ECHS Loans"). The secured debt is secured by a registered mortgage in the name of the District (the "District Mortgage"). The District Mortgage is registered in the amount of $45.0 million in first position against most of the POP Development lands and another development property, which is currently bare land, located in Chestermere, Alberta (the "Chestermere Property").

32. About $8.0 million was also borrowed by the Prince of Peace Lutheran Church of Calgary (the "POP Congregation") to build the church and school building located on the POP Development and for operational expenses of the POP Congregation. In 2008, this loan was divided into two loans, one for approximately $2.0 million, which the POP Congregation is paying on, and one for approximately $6.0 million.

33. In total the loans due to the CEF respecting the POP Development have a total outstanding balance of approximately $91.65 million and make up approximately 91% of the value of the CEF Loans (the "POP Loans"). The POP Loans are not performing and, based on the appraised value of the properties included in the POP Development, the

realizable value of the POP Loans is significantly below the corresponding outstanding indebtedness.

Designated Funds

34. Also included in the CEF Portfolio is approximately $700,000 of designated funds. These are funds that have either been donated for a designated purpose or designated by the District for a specific purpose. The District is currently investigating whether the donated funds are a specified charitable purpose trust.

Other Assets

35. Outside of the CEF Portfolio, the District reports the following additional assets as at November 30, 2014 (the "Additional Assets"):

(a) District owned Real Estate:

- District office (tax assessed value) $1,803,500 (Note that there is approximately $49,000 owed by the District to the CEF Portfolio for this property, which is not secured)
- Richmond condo (tax assessed value) $399,500
- Strathmore property (tax assessed value) $7,343,130 (Note that on August 11, 2008 the District took a loan from the DIL Portfolio (discussed below) with respect to this property. Security for the loan was to be provided by a mortgage against the Strathmore property. Mortgage documents were drafted but were either not executed or were executed and subsequently lost. In 2014 a security review was conducted and it was discovered that the mortgage was never registered. On December 23, 2014, the District executed a legal mortgage pledging the Strathmore property as security for the loan to the DIL Portfolio. Approximately $6,152,936 is owed to the DIL Portfolio for this property.
- Faith property There is a signed conditional offer to purchase this property. The condition waiver date is April 30, 2015, with a closing date of June 30, 2015. As the contract is not complete, the District does not wish to disclose the sale price in a Court document, but has provided the sale price information to the proposed Monitor and will provide the information to the

Court upon request. The District also has a backup offer to purchase in the event that conditions are not waived.

(b) Cash on Hand and Marketable Securities: $7.8 million

(c) Accounts Receivable: $250,274.00 (excluding any intercompany accounts receivable)

(d) Other Assets: $50,000.00.

Liabilities

36. The District's liabilities consist mainly of those amounts due to the CEF Depositors pursuant to their investment in the CEF which are estimated to total approximately $95.89 million as at November 30, 2014. In addition to the CEF Deposits, the CEF lists the following liabilities as at November 30, 2014:

(a) Externally restricted donations (that can only be used as stipulated by the donors): $445,584.00

(b) Internally restricted donations (amounts that have been provided to the District for a specific purpose): $252,333.00

37. All obligations owing by the District to statutory creditors such as Canada Revenue Agency for payroll source deductions and GST, employees and workers' compensation are current .

Solvency

38. Based on the average age of the CEF Depositors and the existing pace of redemptions, the District expects that a significant number of redemption requests will continue to be received from CEF Depositors. Based on historical redemption rates, the District anticipated that it would only have sufficient cash and marketable securities on hand to satisfy these redemption requests until Spring 2015. In order to address this situation, on January 2, 2015, the District implemented a moratorium on redemption requests, as outlined later in this Affidavit.

39. Based on the appraised value of the mortgaged lands in the POP Development and the Chestermere Property, the realizable value of the POP Loans is significantly below the outstanding balance due pursuant to the POP Loans and, as such, the value of the CEF

Portfolio and the Additional Assets is far below the amount due to the CEF Depositors. As a result, the District is insolvent.

Encharis Community Housing and Services

40. Encharis Community Housing and Services ("ECHS") was incorporated in 2005 under the *Companies Act*, as a not-for-profit corporation. ECHS is operated by an eight person board of directors.

41. ECHS was incorporated in order to take over ownership and complete development of the POP Development. The POP Development is generally comprised of the following:

(a) The Manor – The Manor is a 159 unit seniors' complex focused on the delivery of a variety of independent living alternatives. Within the Manor are 30 residences which provide government funded care for Designated Assisted Living ("DAL") services, and 78 Private Supportive Living ("PSL") residences which are also government funded. The remaining 51 units are independent living units consisting of studio and one bedroom suites. The current occupancy rate at the Manor is 87% and the independent living units are 84% occupied.

(b) The Harbour – The Harbour is a dementia care centre for seniors. There are 32 residences in this facility. The care component is funded by the government. The current occupancy rate at the Harbour is 98%

(c) The Church and School – The Church and School building houses a Lutheran congregation, Prince of Peace Lutheran Church of Calgary (the "POP Congregation"). In addition, the POP Congregation collaborates with the Rocky View School Division ("Rocky View") to provide an alternate program within Rocky View pursuant to section 21 of the *School Act*, RSA 2000, c. S-3 (the "School"). The program runs from Kindergarten to Grade 9 and the School has an enrollment of 380 children. 50-60% of the student population is non-Christian and only 20% of the students are children of members of the POP Congregation. The School has added one additional class each of the last 2 years. ECHS owns the lands upon which the Church and School are situated. As mentioned previously, the POP Congregation received loans from the District in order to build the Church and School buildings.

(d) The Condos – The Condos are a series of plus-55 housing complexes, comprised of 174 units in attached buildings consisting of duplexes, triplexes and four-plexes. It is also known as the "Village".

(e) The Expansion Lands – 15 acres of land surrounding the Harbour and Manor which has been designated for their expansion.

(f) The Development Lands – when the District began the POP Development, they acquired title to a quarter section of land, which they later subdivided. ECHS retains title to the balance of those subdivided lands. Included in the Development Lands are walking paths, a water retention pond and a recreational vehicle storage lot.

(g) The Chestermere Lands - 101 acres of undeveloped land within the boundaries of the Town of Chestermere.

42. Initially, all of the Condos were owned by the District. The District then granted life leases to the individual residents with the intention of fostering ongoing interaction with the residents and to enable the District and the POP Congregation to serve the residents both spiritually and in practical ways. In 2006, the District transferred title to the entire POP Development to ECHS. In 2008, the residents were given the option of converting their life lease to a fee simple interest. As of November 30, 2014, there are only 63 condos that are owned by ECHS and which are subject to life lease interests. In addition, there is a single undeveloped lot owned by ECHS which was originally intended for building a residence for the Pastor who served the POP Congregation.

43. Attached as **Exhibit "F"** are ECHS' most recent unaudited financial statements for the period ending November 30, 2014. ECHS' main source of revenue is lease payments from EMSS (as defined and described later) related to its use of the Harbour and the Manor. In addition, ECHS receives revenue from the provision of water and sewer services to EMSS and to other residents within the POP Development.

Assets

44. In addition to the ECHS properties described above, ECHS holds the following assets as at November 30, 2014:

Cash in bank:	$186,066.00
Related party receivables:	$2,063,890.00 (from EMSS)
	$2,344,481.00 (from Shepherd's Village Ministries Ltd.)

The receivable from Shepherd's Village Ministries Ltd. is being paid at $5,000.00 per month and over the last two years has had additional payments made of approximately $150,000.00 per year.

Liabilities

45. ECHS' most significant liability relates to the District Mortgage and two mortgages granted to Concentra Trust (the "Concentra Mortgages"), which total approximately $89.3 million as at November 30, 2014. In addition, ECHS' financial statements show obligations under the Life Leases (as further discussed below) in the amount of $22.6 million. Other liabilities as at November 30, 2014 include the following:

(a) Other liabilities: $2,700.00 (water deposits to Village residents)

46. ECHS has a MasterCard with Bank of Montreal, and ECHS has granted security to Bank of Montreal. There is also security registered against ECHS's office equipment. Attached hereto and market as **Exhibit "G"** are copies of the Personal Property Registry search results report for ECHS as of January 21, 2015.

47. All obligations owing by ECHS to statutory creditors such as Canada Revenue Agency for payroll source deductions and GST, employees and workers' compensation are current .

Solvency

48. ECHS has been unable to meet its ongoing obligations under the District Mortgage and its ongoing operating expenses. In addition, based on the appraised value of the POP Development, in a liquidation scenario, there would be a significant shortfall in repaying the amounts due pursuant to the District Mortgage. As such, ECHS is currently insolvent.

Encharis Management and Support Services

49. Encharis Management and Support Services ("EMSS") operates the Manor and Harbour and was incorporated in 2006 under the *Companies Act* and is a registered charity. EMSS is operated by an eight person board of directors. Attached hereto and marked as **Exhibit "H"** is confirmation that EMSS is a registered charity.

50. EMSS and ECHS are collectively referred to as the "Encharis Group".

51. Attached as **Exhibit "I"** are EMSS' most recent draft unaudited financial statements for the period ending November 30, 2014. EMSS' main source of revenue is the funding it receives from Alberta Health Services related to its operation of the Harbour and the Manor and the suite rental fees it receives from residents of the Harbour and the Manor.

52. All obligations owing by EMSS to statutory creditors such as Canada Revenue Agency for payroll source deductions and GST, employees and workers' compensation are current.

Assets

53. EMSS has limited assets, which can be broken down as follows as at November 30, 2014:

(a) Accounts Receivable: $88,622.00

(b) Inventory: $19,267.00

(c) Property and equipment: $47,368.00

(d) Cash: $774,066.00 (of this amount $321,835.00 is held in trust as security deposits paid by the residents).

Liabilities

54. EMSS' liabilities consist mainly of outstanding lease payments due to ECHS for its use of the Harbour and the Manor, for water and sewer services and for ongoing operating costs. EMSS' additional liabilities can be broken down as follows as at November 30, 2014:

(a) Account payables: $98,623.00

(b) Security deposits: $321,835.00

(c) Resident activity accounts: $13,849.00

(d) Due to ECHS: $2,063,870.00

(e) Vacation liability to employees.

55. EMSS has a MasterCard with Bank of Montreal, and EMSS has granted security to Bank of Montreal. There is also security registered against EMSS's office equipment. Attached hereto and market as **Exhibit "J"** are copies of the Personal Property Registry search results report for EMSS as of December 9, 2014.

Solvency

56. EMSS has been unable to meet its ongoing obligations. The lease payments that are due to ECHS have been current for the last 3 years, but there is approximately $2.0 million in lease arrears that accumulated before then. In addition, EMSS has insufficient assets to satisfy its outstanding liabilities in a liquidation scenario. As a result, EMSS is currently insolvent.

Lutheran Church – Canada, the Alberta – British Columbia District Investments Ltd.

57. In 1996, LCC incorporated the Lutheran Church – Canada, the Alberta – British Columbia District Investments Ltd. ("DIL") under Part 9 of the *Companies Act,* RSA 2000, c. C-21 (the "*Companies Act*"). DIL was created to offer investment funds in the form of Registered Retirement Savings Plans ("RRSPs"), Registered Retirement Income Funds ("RRIFs"), and Tax Free Savings Accounts ("TFSAs") (collectively the "Accounts").

58. Concentra Trust ("Concentra") is the named Trustee for the Accounts. Under the trust agreements with Concentra and the depositors, DIL acts as the depositors' and Concentra's agent in performing most of the administrative and investment duties. Attached hereto and marked as **Exhibit "K"** is a copy of the agency agreements between Concentra and DIL. Attached hereto and marked as **Exhibit "L"** are copies of the application forms and Declarations of Trust for the Accounts.

59. There are 1,139 accounts with DIL with the depositors being made up entirely of 914 individuals (the "DIL Depositors", collectively with the CEF Depositors, the "Depositors"). The total book value of the deposits with DIL as at November 30, 2014 was approximately $37.1 million. Most of the accounts are RRSP and RRIF accounts (the "DIL Accounts").

60. Due to issues that have arisen with respect to some of the mortgages, such as the Strathmore mortgage described above, receipt of payments from ECHS and regarding the net realizable value estimated by the proposed Monitor with respect to the property in Kelowna, DIL is in the process of revising the value of the deposits by using a reserve amount to take these issues into account. In order to be conservative, there will be an estimated write down of 24% to the value of the deposits in the DIL Accounts.

61. Attached as **Exhibit "M"** are DIL's most recent unaudited financial statements for the period ending January 31, 2014.

DIL Portfolio Assets

62. The DIL Deposits are invested by DIL in a portfolio of assets (the "DIL Portfolio"). The DIL Portfolio was reported as having a net book value of approximately $41 million as at November 30, 2014. The DIL Portfolio is comprised of cash and marketable securities of approximately $17.8 million and other assets totaling approximately $23.1 million. The other assets include loans and mortgages (the "DIL Loans"), two of which were advanced to ECHS by promissory notes (the "Concentra Loans") and are secured by two mortgages in the name of Concentra (the "Concentra Mortgages"). The majority of the DIL Loans have been made to select member Churches. The DIL Loans are performing as anticipated.

63. The outstanding indebtedness due pursuant to the Concentra Loans is approximately $8.0 million. The Concentra Mortgages are registered against selected lands in the POP Development, the Chestermere Property, and the remaining condominium units owned by ECHS. The Concentra Mortgages are registered in second and third position against most of the lands, subsequent to the District Mortgage. With respect to the condominium units, the Concentra Mortgages are in first and second position, but are registered subsequent to the life lease interests of the residents (as described below). It is anticipated that there will be a significant shortfall in repaying the District Mortgage and, as such, the Concentra Mortgages will not be collectible.

64. As mentioned above, the District took a loan from the DIL Portfolio with respect to property owned by the District in Strathmore. Mortgage security for this loan was to be provided by the District against the Strathmore property. Mortgage documents were drafted but were either not executed or were executed and subsequently lost. In 2014 a security review was conducted and it was discovered that the mortgage was never registered. On December 23, 2014, the District executed legal mortgage pledging the Strathmore property as security for the loan to the DIL Portfolio. This mortgage has been registered at the Land Titles Office against the Strathmore property.

DIL Portfolio Liabilities

65. The DIL Portfolio has no real liabilities. As noted above, the DIL Portfolio is held in trust for the DIL Depositors.

66. The District provides the administration staffing plus access to office space, communications equipment (such as computer hardware and software, phone, fax,

photocopies), banking software, storage, parking, and utilities that allow for the operation of DIL. These expenses are recaptured by the District through a management fee.

67. DIL does not have any outstanding obligations to statutory creditors such as Canada Revenue Agency, employees and workers' compensation.

68. As of November 30, 2014, there are 204 CEF Depositors that are also DIL Depositors. Even though the DIL Portfolio is performing, because of this overlap, there is concern that the DIL Depositors have begun to request the withdrawal of their investments or have their investments transferred to a different financial institution. In my recent conversations with many of the DIL Depositors, there appears to be a general misunderstanding among them that the DIL Portfolio is a part of the CEF, and a general apprehension that the DIL Portfolio will suffer losses similar to the CEF. In addition although, the loans within the DIL Portfolio are currently performing, loans to the District and ECHS will cease to perform once these proceedings have commenced. In addition, there will be a write down, as mentioned above, on the investments in the DIL Portfolio due to the fact that the Concentra Mortgages are not collectible.

69. As stated previously, the District decided to place a moratorium on the CEF redemptions effective January 2, 2015. The CEF Depositors were advised of the cash difficulties faced by the District and the moratorium by letter dated January 5, 2015. The District also held meetings with the CEF Depositors on January 15 and 16, 2015 to explain the situation and to obtain their preference on a way forward. Since the CEF Depositors were advised of the financial status of the District, DIL has received numerous requests from DIL Depositors to have their funds transferred out of the DIL Portfolio. As of Thursday, January 15, 2015, DIL had received requests for transfers totaling over $3 million. As of Monday, January 19, 2015, DIL had received requests for transfers totaling $7.8 million. As only approximately one-half of the transfer forms requested had been sent back, it is anticipated that the "run on the bank" will continue to escalate.

70. The value of the write down to the DIL accounts still needs to be conclusively determined as certain of the potential security issues will likely require additional review. There is not sufficient cash and marketable securities in the DIL Portfolio to immediately payback all of the DIL Depositors the amounts being held on behalf of the DIL Depositors should this occur. This would result in some DIL Depositors receiving immediate transfer of their funds, whereas others who submit their transfer requests later, having to wait until the mortgages that funds are invested in are repaid. It is therefore requested that the stay of proceedings be extended to withdrawals being made

from the DIL Portfolio, except for the statutory minimum required payments on the RRIFs. It is proposed that DIL will continue to make these statutory minimum payments on the RRIFs as an advance on those accounts.

Material Agreements

Alberta Health Services

71. There are five agreements between Alberta Health Services ("AHS") and the Encharis Group as well as a number of Annual Service Expectation Letters, which modify the main facility services agreement. These agreements govern the relationship between AHS and the Encharis Group respecting the provision of beds and services for the Manor and the Harbour.

72. Two of the agreements provided one-time AHS grants to the Encharis Group totaling $9.1 million related to the provision of affordable supportive living at both the Manor and the Harbour. The transfer of assets out of ECHS outside of formal insolvency proceedings has the potential to constitute a default under these agreements and trigger the repayment of some or all of the grant money. Any default by the Encharis Group could also result in AHS imposing additional terms, conditions or requirements, or AHS suspending or canceling payments to the Encharis Group.

73. The Harbour and the Manor are continuing to operate and the stay of proceedings is required to ensure that the agreements with AHS remain in place, at least in the short-term to ensure that the care of seniors in those facilities is not compromised.

Life Leases

74. As mentioned above, as of November 30, 2014, there are 63 condominium units that are owned by ECHS which are subject to life leases entered into with the residents of those units. Under the life leases, the resident is granted occupation of the condominium unit for the term of the resident's life. The life resident paid a lump sum equivalent to the fair market value of the condominium unit at the beginning of the life lease, and is responsible for payment of certain costs over the course of the term. The life lease can be terminated on notice by the resident. At the end of the term or termination of the life lease, ECHS is obligated to re-lease the unit and upon re-leasing the unit, to make a lump sum payment back to the resident as calculated in the life lease. ECHS has 6 months within which to re-lease the condominium unit before ECHS is obligated to repay

the resident the appraised fair market value. ECHS is entitled by the life lease to deduct from the amount paid a fee.

75. As the life leases are terminated, ECHS has been selling the condominium unit as a fee simple interest.

76. The stay of proceedings is necessary to ensure that residents, whose condominium units are subject to life leases, do not enforce the obligation to terminate the life leases in the short-term.

Water Licence with Rocky View County

77. ECHS purchased the rights to 300 cubic metres per day of potable water from Rocky View County for $3.9 million. These rights are transferrable. Currently, ECHS cannot access this water as no potable water delivery system exists between the POP Development and the source of the water. Rocky View County is agreeable to constructing a potable water delivery system from the source of the potable water at ECHS' expense. Part of the agreement provides for a mechanism for recovering part of the cost of such delivery system from any other landowner who would choose to connect to the delivery system.

The POP Congregation Lands

78. The church and school building for the POP Congregation is located on a ¼ section of land within the POP Development. The POP Congregation borrowed funds from the District in order to construct the church and school building.

79. As the POP Development progressed, it was understood that 10 acres of land that surround the church and school building in the POP Development would be set aside for the POP Congregation and would be transferred to the POP Congregation at the time that the POP Development lands were fully subdivided or sold to a third party. In 2006, when the POP Development lands were transferred to ECHS, ECHS agreed that these 10 acres of land were not acquired. ECHS also agreed to have the POP Development lands subdivided. ECHS has until January 31, 2015 to deliver a registrable subdivision plan for these 10 acres. If the registrable subdivision is not delivered, the District has an option to purchase the 10 acres from ECHS for $4.0 million, which is to be set-off against any debt owed by ECHS to the District.

CASH FLOW STATEMENT

80. Attached hereto and marked as exhibits are copies of the Applicants' most recent cash flow statements (collectively, the "Cash Flow Statements"):

(a) District – **Exhibit "N"**;

(b) ECHS – **Exhibit "O"**;

(c) EMSS – **Exhibit "P"**;

(d) DIL Portfolio – **Exhibit "Q"**.

81. Based on my knowledge of the financial position of the Applicants and, based on the assumptions set out in the Cash Flow Statements, I believe that the Cash Flow Statements are fair and reasonable.

82. I believe, based on the Cash Flow Projections, that the Applicants will be able to meet their post-filing obligations in the ordinary course.

83. The Applicants are not seeking interim financing at the application for the Initial Order; however, the Applicants may apply for interim financing, if needed, at subsequent applications should this Honourable Court grant the relief requested herein.

84. The District's management has worked with Deloitte, the proposed Monitor, to create the Cash Flow Statements. Deloitte has made certain suggestions about the Cash Flow Statements, which have been incorporated therein and Deloitte has not expressed any concerns over the reasonableness of the Cash Flow Statements.

OPERATIONS

Employees

85. The Applicants employ a total of 199 people.

86. EMSS pays approximately $205,000.00 in wages and salary, including source deductions, to their employees every second Friday. EMSS also provides approximately $25,000.00 in benefits on the 15th day of each month. The remittances are made at the same time that the employees are paid.

87. The District employees are paid wages and salary, including source deductions, in the amount of $63,000.00 on the 16th day of each month. The District employees are also

paid benefits of about $21,269.00 on the 15th day of each month. Required remittances are paid at the same time that the employees are paid.

88. A significant portion of the employees of the District have been employed by the District for an extended period of time. A number of the employees and members of the Applicants have significant retirement investments in CEF. None of the undertakings of the Applicants are unionized.

89. The District employees have a pension plan that is currently in an unfunded deficit. The deficit as of November 30, 2014 is approximately $200,000.00, which would have to be repaid if the plan is terminated.

90. EMSS has an RRSP plan for their employees.

91. It is the Applicants' goal through these restructuring efforts to protect the interests of all of the Applicants' stakeholders to ensure the continued existence of the Applicants for the people and families that are affected by our operations, to continue to have a positive impact upon the communities that we service, and to provide the Depositors with the best return possible under the circumstances.

Management

92. The District is currently managed by the District President, Pastor Don Schiemann and his three executive assistants, Daryl Becker, myself (Kurt Robinson) and Pastor Glenn Schaeffer. I am currently seconded to ECHS as its General Manager. I have qualified for the Canadian Securities Certificate. The management team is rounded out by Janice Ruf and Amy Thera. Amy holds a Certified Professional Accountant designation.

93. ECHS is currently managed by Marv Mutschler. Gislèle van Middelkoop is the Executive Assistant.

94. EMSS is currently managed by myself (Kurt Robinson), who as noted earlier, is seconded from the District. Rounding out the management team at EMSS are Diane Neish, Senior Manager Resident Care, Alanna Mathieson, Senior Manager Administration – Human Resources, and Patrick Nelson, Senior Manager Food Services.

95. Amy Thera is the Senior Manager of Finance for the Encharis Group.

96. DIL is currently managed by myself (Kurt Robinson) as President, Candace Rivet as Vice President, and Janice Ruf as Secretary/Treasurer.

97. The current management of the EnCharis Group has made significant progress in improving efficiencies, controlling costs and increasing revenue. There are 9 full-time members of the management team of the EnCharis Group and the District. However, as noted below, notwithstanding these improvements, the Manor and Harbour continue to perform below a number of comparable facilities. As such, the Applicants have decided to bring in professional, outside management to take over management of the Manor and Harbour in order to further improve profitability. A Request for Proposals process was undertaken in the fall of 2014.

98. A contract with an outside management group has been concluded with Diversicare Canada Management Services Co., Inc. ("Diversicare"), and operations of the Manor and Harbour have been taken over by them on January 5, 2014. This should stabilize costs and occupancy levels and bring to bear greater economies of scale and greater experience in dealing with AHS. It is believed that this will increase cash flow, which in turn will increase both the long term return and the value of the operations as a going concern.

EVENTS LEADING TO THE PRESENT APPLICATION

99. As mentioned previously, the District Mortgage outstanding from ECHS is not current. As such the CEF is facing an impending cash flow shortage. Based upon historical redemption rates, it was estimated that the CEF would only be able to continue to honour account redemption requests until sometime in the Spring of 2015. Because of these concerns regarding the solvency of the CEF, except for funds that were being electronically transferred, the District ceased taking new deposits to the CEF in March 2014. The CEF allowed the automatic renewal of term investments.

100. The District retained Deloitte LLP to review the assets and liabilities of the District and the Encharis Group. Deloitte LLP completed this review on May 19, 2014. The review of Prince of Peace concluded that the Manor and the Harbour were underperforming vis-à-vis comparable facilities in and around Calgary, but that stabilizing costs and occupancy levels had the capacity to increase the value of Prince of Peace significantly.

101. As a result of this review, as noted in greater detail above, it is also apparent that the District and the Encharis Group are currently insolvent as there would be a significant shortfall to the investors in a liquidation scenario.

102. The Lutheran community is very tight. The Applicants were and are extremely concerned that once word got out that the CEF cash flow will be dried up that there

would be a "run on the bank" with investors of CEF and DIL requesting their deposits to be redeemed and their accounts to be closed. CEF will not have sufficient funds to pay back all of the redemption requests, and DIL does not have sufficient liquid funds to do so.

103. As mentioned previously, on January 2, 2015, the District implemented a moratorium on redemptions from the CEF and established the Emergency Fund, described below. The CEF Depositors were advised of the cash difficulties faced by the District and the moratorium by letter dated January 5, 2015. The District also held meetings with the CEF Depositors on January 15 and 16, 2015 to explain the situation and to obtain their preference on a way forward. Ideally, it was the hope of the Applicants that the CEF Depositors would be amenable to a form of restructuring and that the restructuring would be able to be carried out on an informal basis outside of the Court.

104. The CEF Depositors who attended the meetings expressed a mixed range of emotions, from anger to full support and understanding. They were asked to express their preference on either having the District's assets liquidated or being involved in a restructuring process. There were numerous CEF Depositors who expressed that they needed further information before they would feel comfortable expressing a preference on either option. However, of those who expressed a preference on the options presented, the majority preferred to be involved in a restructuring process.

105. Since the CEF Depositors were advised of the financial status of the District, DIL has received numerous requests from DIL Depositors to have their funds transferred out of the DIL Portfolio. As of Thursday, January 15, 2015, DIL had received requests for transfers totaling over $3 million. As of Monday, January 19, 2015, DIL had received requests for transfers totaling $7.8 million. It was apparent to the management of the District and DIL that the "run on the bank" that was initially feared was occurring and would continue to escalate. Although the Applicants were hopeful to have the restructuring completed on an informal basis, it was decided by the Applicants that these proceedings should be commenced sooner rather than later in order to implement a fair restructuring process for all stakeholders involved.

MONITOR

106. Deloitte Restructuring Inc. has consented to the Applicants' request that it be appointed monitor (the "Monitor") of each of the Applicants. Attached hereto and marked as **Exhibit "R"** is a copy of the Monitor's consent.

BENEFITS OF PROPOSED RESTRUCTURING

107. The core business of the Encharis Group is sound. The POP Development began in 1997. The Manor has been in operation since February 2003 and the Harbour has been in operation since June 2011, but they have simply not been run as profitably as they could have been and, as such, the Encharis Group is not able to properly service its debt load. As stated above, the EnCharis Group has entered into an agreement with Diversicare to provide management services for the Manor and Harbour effective January 5, 2015. It is believed that Diversicare can further improve net operating income due to their expertise in the area.

108. It is the Applicants' intention to review with the Monitor, Concentra, AHS, and the Depositors the viability of the Manor and Harbour, CEF and the DIL Portfolio so that these stakeholders have transparency respecting their investments and interest in the Applicants. The Applicants expect to be able to restructure and convert a portion of the current investor debt into equity in a more profitable POP Development. Over time, the investors will then be able to realize a greater return on their investment than if the assets of the Applicants were simply liquidated today.

109. This restructuring can only be realized by allowing the Applicants time, through a stay of proceedings, and a prevention of the "run on the bank", so that the new equity structure can be put into place. The stay of proceedings will also prevent AHS from terminating its necessary funding to support the funded residents of the Manor and the Harbour so that essential services can be provided to these seniors in need of vital assistance.

110. The alternative is undesirable and benefits no one. If the Applicants are not afforded an opportunity to restructure, I believe the ramifications would include:

(a) The CEF and the DIL Portfolio would collapse due to redemption requests from the investors and have potentially adverse tax implications to the Depositors;

(b) Piece meal liquidation of the Applicants' assets would result in lowered recovery for the Depositors and the residents that are subject to the life leases;

(c) There would be a loss of jobs to the Applicants' employees; and

(d) AHS would possibly terminate its support of the Manor and the Harbour, resulting in a number of those residents being displaced, including residents suffering dementia who would require secure facilities in order to be safely cared for.

111. The relief that is sought in this application is done to protect the Applicants' operations and to facilitate a restructuring of their credit facilities. I do not believe that any party will be materially prejudiced by the relief sought in this application.

RELIEF SOUGHT

Stay of Proceedings

112. As discussed above, the Applicants are very concerned that, in light of their present debt structure and financial obligations, the exercise of a significant number of immediate redemptions from the CEF and the DIL Portfolio would cause a serious detriment to the Applicants and all other stakeholders. Accordingly, a stay will afford the Applicants, in conjunction with the Monitor, Concentra, and AHS, an opportunity to review the viability of the Manor and Harbour and devise a strategy to maximize the value of this and other projects undertaken by the District and the Encharis Group.

113. Moreover, if a stay is not granted the Encharis Group is at risk of having Manor and Harbour operations disrupted or shut down, causing a negative impact upon the lives of many seniors, including seniors suffering from dementia who are impossible to house in non-secure facilities.

Administration Charge

114. In connection with its appointment, it is contemplated that the Monitor, its' counsel, and the Applicants' counsel would be granted a Court-ordered charge over the assets, property and undertaking of the Applicants in respect of their fees and disbursements (the "Administration Charge"), incurred at the standard rates and charges of such parties, which Administration Charge shall be in an aggregate amount of $300,000.00.

115. I am informed by my counsel, and do verily believe, that the cost of putting any particular one of the Applicants into receivership or some similar liquidation proceedings would be comparable to the Administration Charge proposed. As such, it is my belief that the stakeholders will not be prejudiced by the proposed Administration Charge.

Payment Mechanism

116. In order for EMSS to continue to operate the Manor and Harbour, it will be necessary to provide a mechanism to secure payment to critical trade suppliers. It is proposed that trade suppliers would be granted a Court-ordered charge over the assets, property and undertaking of the Applicants (the "Critical Suppliers Charge") in respect of their goods

and services incurred at the standard rates and charges of such parties, which would range below the Administrative Charge and shall be in an aggregate amount of $100,000.00.

117. The critical suppliers for EMSS and ECHS are:

Alsco

ATCO GAS

Canada Bread Company Limited

County of RockyView

Direct Energy

ENMAX

Manulife Financial Group Benefits

Norica Nursing Agency

PC eSolutions Corporation

Pratts Food Service

Shannon'S Services Management Corp.

Sysco Foods Calgary

Shaw phone and Internet services

118. The District has employed Hill+Knowlton Strategies, a division of WPP Group Canada Communications Limited ("H+K"), a communications firm, to assist it with explaining the financial situation that the Applicants are experiencing to the various stakeholders. In that many of the Depositors are older individuals with varying backgrounds, H+K will play a vital role in explaining the restructuring process and its implications to the various stakeholders, especially the Depositors. It is contemplated that the fees and disbursements of H+K would form a part of the Critical Suppliers Charge.

119. Finally, Diversicare, as the outside management team, will also be a key component in the success of any restructuring. It is be contemplated that their fees would also form part of the Critical Suppliers Charge, despite the Cash Flow Statements indicating that these costs could be covered during the initial stay period.

Emergency Fund

120. On January 2, 2015, the District implemented an Emergency Fund program. The rationale for the Emergency Fund and how it has been implemented is described below. The District has provided numerous application forms to those in need, but as of the date of this Affidavit, it has only received 11 applications. Those applications that have been approved by the District have also been reviewed by the proposed Monitor.

121. Some of the Depositors were receiving a payment of the interest earned on their account on a monthly basis. It is estimated that about $75,000.00 of these payments per month were to Depositors, including many elderly depositors, who require this payment in order to meet their monthly expenses. Some congregations were also using their monthly interest payment to pay their pastors. As the interest payment was stopped to these congregations due to the moratorium placed on CEF, there may be insufficient funds to pay these pastors their salaries.

122. The Applicants are concerned that the stay of proceedings may adversely affect these Depositors, who may be unable to purchase food or pay their rent if their payment from the CEF or DIL was stopped. It is therefore proposed that the Emergency Fund established by the District continue as part of the Initial Order and that the Applicants be permitted to make a monthly payment as an advance on distribution to the CEF Depositors or as a return on investment to the DIL Depositors who qualify.

123. It is proposed that the Emergency Fund be established as follows:

(a) Any Depositor may complete an application form under the Emergency Fund Program. The application form will require the Depositor to provide information on and proof of his/her income level, assets, and monthly expenses. Attached hereto and marked as Exhibit **"S"** is our proposed information summary and application form. This is the same application form and information summary that was provided under the Emergency Fund program established by the District on January 2, 2015.

(b) Any congregation who is a Depositor may submit a request under the Emergency Fund Program in order to seek approval of funds to pay their pastor his or her salary. The District will work with these congregations to obtain appropriate financial information in order to assess their need. Decisions will be based on the congregation's financial situation..

(c) The applications would be reviewed by the District in consultation with the Monitor. Any applicant who does not meet the minimum standards for surplus income established by the Office of the Superintendent of Bankruptcy would be approved by the District. The District, in consultation with the Monitor, also has discretion to approve any applicant who is above the minimum standards for surplus income established by the Office of the Superintendent of Bankruptcy based on their individual situation and assessed needs. The amount to be paid to each applicant would be set by the District and approved by the Monitor.

(d) The maximum payable to any individual CEF Depositor would be capped at 75% of his or her pro-rata share of the low estimated amount that would be payable to him or her in a liquidation scenario.

(e) The maximum amount paid in total from the CEF or DIL to those Depositors who are approved would be $75,000.00 per month, subject to this amount being varied by the Court upon further application.

Director and Officer Indemnity

124. As previously described, the Applicants' obligations to fund their payrolls, benefits, and statutory withholdings amounts to approximately $539,000.00 per month.

125. The Applicants request a Court-ordered charge in the amount of $5 million over the assets, property and undertakings of the Applicants (the "Directors' and Officers' Charge") to indemnify the directors and officers of the Applicants in respect of any such liabilities they may incur in their capacity as directors and officers from and after the commencement of these proceedings to supplement the liability insurance policy described below. The Applicants have discussed the quantum of the proposed Directors' and Officers' Charge with the proposed Monitor, who has indicated that it has no objection to the quantum of the proposed Directors' and Officers' Charge.

126. The District, EMSS and ECHS currently have directors' and officers' liability insurance to the limit of $5 million per claim or policy period. EMSS and ECHS have the same boards of directors. Attached hereto and marked as **Exhibit "T"** is a copy of the policy documents available.

127. Although **Exhibit "T"** states that the policy expires January 1, 2015, the insurer has granted an extension of the coverage to January 31, 2015. Although a renewal has

been requested, the insurer has not stated whether it will provide a further renewal. The Applicants will make reasonable efforts to keep the current policy in force and will not advance any claims under the proposed Directors' and Officers' Charge other than where insurance coverage is not available.

SUMMARY

128. I believe that the most feasible and viable option for the Applicants to restructure and best serve all of its stakeholders is through *CCAA* proceedings. The protection afforded by the *CCAA* will allow the Applicants the opportunity they need to assess the set back they have suffered, maximize the profits of the POP Development, and emerge from the proceeding as stronger charitable entities. If the *CCAA* protection is not granted, the Applicants and all of their assets will be exposed to the possibility of piece meal liquidation that will cause a material deterioration in the value of the overall estate for the Depositors, many of whom are seniors.

129. I make this Affidavit in support of an application by the Applicants under the provisions of the *CCAA* for an order substantially in the form of the draft Order which is submitted with this application, declaring the Applicants are corporations to which the *CCAA* applies, appointing Deloitte Restructuring Inc. as monitor, granting a stay of proceedings on the terms set out in the draft order, and granting such other relief as is set out in the draft form of order sought.

SWORN BEFORE ME at Calgary, Alberta, this 22nd day of January, 2015.	)	
(Commissioner for Oaths in and for the Province of Alberta)	)	Kurtis Robinson
Ksena J. Court Barrister & Solicitor	)	
PRINT NAME AND EXPIRY/LAWYER /STUDENT-AT-LAW	)	