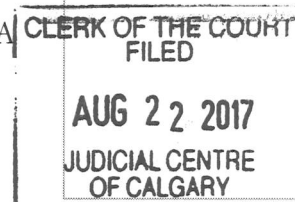


Clerk's Stamp

COURT FILE NO. 1701-03799
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF ROYAL BANK OF CANADA
DEFENDANTS GABRIEL CONSTRUCTION LTD., GABRIEL
CONSTRUCTION (ALBERTA) LTD. and SASKALTA
ENVIRONMENTAL SOLUTIONS INC.



IN THE MATTER OF THE RECEIVERSHIP OF GABRIEL
CONSTRUCTION LTD., GABRIEL CONSTRUCTION
(ALBERTA) LTD. and SASKALTA ENVIRONMENTAL
SOLUTIONS INC.

APPLICANT DELOITTE RESTRUCTURING INC. in its capacity as Court-
appointed Receiver and Manager of the assets, undertakings and
properties of GABRIEL CONSTRUCTION LTD., GABRIEL
CONSTRUCTION (ALBERTA) LTD. and SASKALTA
ENVIRONMENTAL SOLUTIONS INC.

DOCUMENT **APPLICATION**

ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS
DOCUMENT
Torys LLP
4600 Eighth Avenue Place East
525 - Eighth Ave SW
Calgary, AB T2P 1G1
Attention: Kyle Kashuba
Telephone: +1 403.776.3744
Fax: +1 403.776.3800
Email: kkashuba@torys.com
File No. 39279-2001

NOTICE TO RESPONDENT(S):

This Application is made against you. You are a Respondent.

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

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

Date: Thursday, August 31, 2017

Time:	11:00 a.m.
Where:	Calgary Courts Centre
Before Whom:	Madam Justice B.E.C. Romaine, of the Commercial List

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

Remedy claimed or sought:

1. Deloitte Restructuring Inc. in its capacity as Court-appointed receiver and manager (the “**Receiver**”) of the assets, undertakings and properties (the “**Property**”) of Gabriel Construction Ltd., Gabriel Construction (Alberta) Ltd. and SaskAlta Environmental Solutions Inc. (collectively, the “**Gabriel Group**” or the “**Debtors**”), seeks certain relief, advice and directions from this Honourable Court, by way of an Order in substantially the form as that attached as Schedule “A” to this Application, granting the following relief and directions:
 - 1.1 deeming the service of this Application and supporting materials to be good and sufficient, and confirming that no other party other than those described as having received service of this Application, is required to be served;
 - 1.2 authorizing and approving a declaration stating that the Spring Water property at Camp Bay Road, Roatan, Honduras (the “**Honduras Property**”), registered in the name of Construcciones Gabriel, S.A., and as described and defined in the Second Report of the Receiver filed on August 22, 2017 (the “**Second Report**”), forms part of the Property of the Gabriel Group and is Property subject to these receivership proceedings;
 - 1.3 approving the actions, conduct and activities of the Receiver and the Receiver’s counsel, and approving the Receiver’s receipts and disbursements to date; and
 - 1.4 granting leave to the Receiver to apply or reapply to this or any court or administrative body in any province of Canada or elsewhere, for advice, assistance and directions as may be necessary to carry out the terms of the Order sought.
2. Such further and other relief, advice and directions as counsel may advise and this Honourable Court may deem just and appropriate.

Grounds for making this Application:

3. On March 21, 2017, Deloitte Restructuring Inc. was appointed as the Receiver over the Property of the Gabriel Group, by the Consent Receivership Order granted in this matter by the Honourable Justice C.M. Jones (the “**Receivership Order**”).
4. Pursuant to the terms of the Receivership Order, and in particular paragraph 3 thereof, the Receiver is empowered and authorized to act in respect of the Debtors’ Property, including all of the Debtors’ current and future assets, undertakings and properties of every nature and

kind whatsoever and wherever situate, including all proceeds thereof, including taking possession of and exercising control over any such Property and all proceeds, receipts and disbursements arising out of or from such Property.

5. Pursuant to paragraph 4 of the Receivership Order, the Debtors have a duty to advise the Receiver of the existence of any Property in their possession or control and to deliver such property to the Receiver upon the Receiver's request.
6. Pursuant to paragraph 29 of the Receivership Order, the Receiver is at liberty and is authorized to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of the Receivership Order and is authorized and empowered to act as a representative in respect of the proceedings for the purpose of having the receivership proceeds recognized in a jurisdiction outside of Canada.
7. Since the granting of the Receivership Order, the Receiver has identified the Honduras Property registered by Construcciones Gabriel, S.A., a "related party" to Gabriel Construction Ltd., Gabriel Construction (Alberta) Ltd. and SaskAlta Environmental Solutions Inc.
8. Construcciones Gabriel, S.A. and the Debtors are all owned and operated by Gabriel Grenier and have been effectively conflated in the administration of their services to clients.
9. In the course of its investigations and discussions with the Gabriel Group, the Receiver has not been provided full and transparent information and disclosure relating to the Property subject to the receivership, or with respect to the Honduras Property.
10. It is respectfully proposed that given the close connection between Construcciones Gabriel, S.A. and the Debtors, including the fact that they are owned and operated and treated as one by the owner, Gabriel Grenier, the Honduras Property ought to be considered as forming part of the Property subject to the Alberta receivership proceedings.
11. Such further and other grounds as counsel may advise and this Honourable Court may permit.

Material or evidence to be relied on:

12. All pleadings and proceedings, including the Receivership Order, the Applications, Orders, Reports and other materials filed in the within action.
13. The Second Report of the Receiver filed in the within action, filed August 22, 2017.
14. The proposed form of Order attached as Schedule "A" to this Application.
15. The inherent jurisdiction of this Honourable Court to control its own process.
16. Such further and other material and evidence as counsel may advise and this Honourable Court may permit.

Applicable rules:

17. Rules 1.4(2), 6.3(1), 6.9(1)(a), 6.11(1), 6.47(d), (e) and (f), 11.27 and 13.5.

Applicable Acts and regulations:

18. *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended, the *Judicature Act*, RSA 2000, c J-2, as amended, and such other Rules, Acts and Regulations as counsel may advise and that this Honourable Court may permit.

Any irregularity complained of or objection relied on:

19. None.

How the application is proposed to be heard or considered:

20. Oral submissions by counsel at an Application in Commercial List Chambers as agreed and scheduled by counsel, before Madam Justice B.E.C. Romaine at the Calgary Courts Centre, 601 - 5th Street SW, at Calgary, Alberta, on Thursday, August 31, 2017 at 11:00 a.m. or as soon thereafter as counsel may be heard.

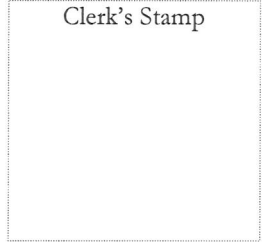
AFFIDAVIT EVIDENCE IS REQUIRED IF YOU WISH TO OBJECT.

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 at the 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.

SCHEDULE "A"

COURT FILE NO. 1701-03799
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF ROYAL BANK OF CANADA
DEFENDANTS GABRIEL CONSTRUCTION LTD., GABRIEL
CONSTRUCTION (ALBERTA) LTD. and
SASKALTA ENVIRONMENTAL SOLUTIONS INC.



IN THE MATTER OF THE RECEIVERSHIP OF
GABRIEL CONSTRUCTION LTD., GABRIEL
CONSTRUCTION (ALBERTA) LTD. and
SASKALTA ENVIRONMENTAL SOLUTIONS INC.

APPLICANT DELOITTE RESTRUCTURING INC. in its capacity as
Court-appointed Receiver and Manager of the assets,
undertakings and properties of GABRIEL
CONSTRUCTION LTD., GABRIEL
CONSTRUCTION (ALBERTA) LTD. and
SASKALTA ENVIRONMENTAL SOLUTIONS INC.

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS
DOCUMENT
Torys LLP
4600 Eighth Avenue Place East
525 - Eighth Ave SW
Calgary, AB T2P 1G1
Attention: Kyle Kashuba
Telephone: +1 403.776.3744
Fax: +1 403.776.3800
Email: kkashuba@torys.com
File No. 39279-2001

DATE UPON WHICH ORDER WAS PRONOUNCED: Thursday, August 31, 2017
NAME OF JUSTICE WHO MADE THIS ORDER: Madam Justice B.E.C. Romaine
LOCATION OF HEARING: Calgary, Alberta

UPON THE APPLICATION being made by Deloitte Restructuring Inc. in its capacity as
the Court-appointed receiver and manager (the "**Receiver**") of the assets, undertakings and
properties (the "**Property**") of Gabriel Construction Ltd., Gabriel Construction (Alberta) Ltd. and

SaskAlta Environmental Solutions Inc. (collectively, the “**Gabriel Group**” or the “**Debtors**”); **AND UPON** having read the Second Report of the Receiver, filed August 22, 2017 (the “**Second Report**”); **AND UPON** hearing counsel for the Receiver, counsel for Royal Bank of Canada (“**RBC**”), counsel to the Gabriel Group and from any other interested parties who may be present; **AND UPON** it appearing that all interested and affected parties have been served with notice of this Application;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Service of the notice of this Application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this Application, and the time for service of this Application is abridged to that actually given.
2. The actions, conduct and activities of the Receiver and the Receiver’s counsel as reported in the Second Report, are hereby authorized and approved, as are the Receiver’s receipts and disbursements to date.
3. The Spring Water property at Camp Bay Road, Roatan, Honduras (the “**Honduras Property**”), registered in the name of Construcciones Gabriel, S.A., and as described and defined in the Receiver’s Second Report, is hereby declared to form part of the Property of the Gabriel Group, and is Property subject to these receivership proceedings.
4. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, and in particular in the Province of Saskatchewan and the country of Honduras, to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals regulatory and administrative bodies are hereby respectfully requested to make such orders as to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.
5. The Receiver is granting leave to the Receiver to apply or reapply to this or any court or administrative body in any province of Canada for advice, assistance and directions as may be necessary to carry out the terms of the Order sought
6. This Order must be served only upon those interested parties attending or represented at the within Application and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.

7. Service of this Order on any party not attending at this Application is hereby dispensed with.

Justice of the Alberta Court of Queen's Bench