

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 **CONSENT 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](mailto:kkashuba@torys.com)  
 File No. 39279-2001

I hereby certify this to be a true copy of the original Order  
 Dated this 6 day of Sept, 2017  
 \_\_\_\_\_  
 for Clerk of the Court

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 of Gabriel Construction Ltd., Gabriel Construction (Alberta) Ltd. and SaskAlta Environmental Solutions Inc. (collectively, the "Gabriel Group"); **AND UPON** having read the

Second Report of the Receiver, filed August 22, 2017 (the “**Second Report**”), the Affidavits of Gabriel Grenier filed August 14, 2017 and August 28, 2017 in Action No. 1701-09483 (together, the “**Grenier Affidavits**”), the Affidavit of Elvina Hussein, filed August 30, 2017, and the Affidavit of Tracy Hutchings, filed August 31, 2017; **AND UPON** hearing counsel for the Receiver, counsel for Royal Bank of Canada, and counsel to the Gabriel Group and Gabriel Grenier (“**Grenier**”); **AND UPON** noting the consent of the parties endorsed hereon; **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. Grenier shall make himself available for questioning on the Grenier Affidavits prior to September 9, 2017.
3. Any undertakings given by Grenier at the questioning on the Grenier Affidavits shall be responded to within 21 days of the day of the questioning.
4. The hearing of the Application concerning the Spring Water property at Camp Bay Road, Roatan, Honduras (the “**Honduras Property**”), and as described and defined in the Receiver’s Second Report, shall be take place on October 24, 2017, or so soon thereafter as counsel may agree and schedule. Grenier shall file no further evidence beyond the Grenier Affidavit prior to the hearing of the Application concerning the Honduras Property.
5. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, or 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.
6. The Receiver is granted leave 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.
7. The within Order may be consented to or otherwise endorsed via counterpart and by electronic signature, including without limitation, pdf or facsimile.

8. 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.
9. Service of this Order on any party not attending at this Application is hereby dispensed with.

"B.E.C. Romaine"

Justice of the Alberta Court of Queen's Bench

Consented to this 5<sup>th</sup> day of September, 2017:

**Torys LLP**

Per:



\_\_\_\_\_  
Kyle D. Kashuba  
Solicitors for Deloitte Restructuring Inc., the  
Court-appointed Receiver and Manager of the  
Gabriel Group

**Borden Ladner Gervais LLP**

Per:

\_\_\_\_\_  
Robyn Gurofsky  
Solicitors for Royal Bank of Canada

**Field LLP**

Per:

\_\_\_\_\_  
Douglas Nishimura  
Solicitors for the Gabriel Group and Gabriel  
Grenier



8. 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.
9. 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

Consented to this \_\_\_\_ day of September, 2017:

**Torys LLP**

Per:

---

Kyle D. Kashuba  
Solicitors for Deloitte Restructuring Inc., the  
Court-appointed Receiver and Manager of the  
Gabriel Group

**Borden Ladner Gervais LLP**

Per:



---

Robyn Gurofsky  
Solicitors for Royal Bank of Canada

**Field LLP**

Per:

---

Douglas Nishimura  
Solicitors for the Gabriel Group and Gabriel  
Grenier

8. 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.
9. 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

Consented to this \_\_\_\_ day of September, 2017:

**Torys LLP**

Per:

---

Kyle D. Kashuba  
Solicitors for Deloitte Restructuring Inc., the  
Court-appointed Receiver and Manager of the  
Gabriel Group

**Borden Ladner Gervais LLP**

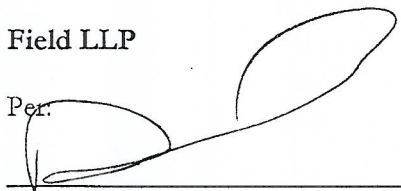
Per:

---

Robyn Gurofsky  
Solicitors for Royal Bank of Canada

**Field LLP**

Per:



---

Douglas Nishimura  
Solicitors for the Gabriel Group and Gabriel  
Grenier