

Clerks Stamp:

COURT FILE NUMBER 24-2806908

COURT COURT OF QUEEN'S BENCH OF ALBERTA IN
BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS
AMENDED

AND IN THE MATTER OF THE NOTICE OF
INTENTION TO MAKE A PROPOSAL OF 915245
ALBERTA LTD. o/a PRAIRIE TECH OILFIELD
SERVICES

DOCUMENT **APPLICATION**

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION
OF PARTY FILING
THIS DOCUMENT **DLA Piper (Canada) LLP**
2700, 10220-103 Ave NW
Edmonton, AB T5J 0K4
Attention: Jerritt R. Pawlyk / Kevin Hoy
Phone: 780.426.5330
Email: jerritt.pawlyk@dlapiper.com /
kevin.hoy@dlapiper.com
File No.108761-00001

NOTICE TO RESPONDENTS

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Master/Judge.

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

Date	Monday, March 21, 2022
Time	2:00 PM
Where	Edmonton Courts via WebEx Virtual Courtroom 86 https://albertacourts.webex.com/meet/virtual.courtroom86
Before Whom	The Honourable Justice Burns

Remedy claimed or sought:

1. The Applicant, 915245 Alberta Ltd. O/A Prairie Tech Oilfield Services (the “**Company**”), seeks an order, pursuant to sections 50.4(9), and 64.2(1) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, (the “**BIA**”), substantially in the form of the draft First Extension Order (the “**First Extension Order**”) attached as Schedule “**A**” hereto:
 - a) abridging time for service of this Application and deeming service good and sufficient, if necessary;
 - b) validating service this Application;
 - c) extending the Company’s timeline required for filing a proposal to its creditors until 11:59 p.m. (Mountain Time) on Sunday, May 8, 2022
 - d) extending the general stay of proceedings imposed against all enforcement actions against the Company until 11:59 p.m. (Mountain Time) on Sunday, May 8, 2022;
 - e) granting a first-priority security interest or charge in the amount of \$50,000 over all of the real and personal property of the Company (the “**Administration Charge**”) to secure the fees and disbursements of the Company’s legal counsel, Deloitte Restructuring Inc., and legal counsel retained by the Proposal Trustee in respect of these proceedings;
 - f) imposing the service protocol set out in Appendix “A” to the First Extension Order; and
 - g) such further and other relief as this Honourable Court may deem appropriate or necessary.

Grounds for making this application:

2. On February 22, 2022, the Company filed a Notice of Intention to Make a Proposal (the “**NOI**”) pursuant to section 50.4 of the *BIA*. Deloitte Restructuring Inc. (the “**Proposal Trustee**”) was appointed the Proposal Trustee of the Company at the time of the filing of the NOI.

Background Facts

3. The Company is an established oilfield service provider based out of the vicinity of Elk Point, Alberta. The Company has been providing oilfield services to clients in the oil and gas industry since 2006. Such services include, without limitation, hauling, snow removal, grass and vegetation removal, and standby medical services.
4. The Company directly employs 12 full-time employees. Additionally, 15 independent contractors serve as full-time staff members who work exclusively for the Company.
5. In early 2020, the Company significantly increased its equipment fleet size in anticipation of increased volumes of work to be performed by a subsidiary corporation. The onset of the COVID-19 pandemic and the significant decrease in energy prices in 2020 caused the Company to lose sources of revenue. Losses of revenue coupled with the increase in the Company's equipment rental liabilities caused the Company to become unable to meet its liabilities as they came due.
6. The Company currently owes approximately \$6,800,000 in aggregate to its secured creditors and \$2,760,000 in aggregate to its unsecured creditors.
7. The Company assets consist of goodwill, office equipment, accounts receivable, amounts due from related companies, and shares in affiliated corporations. The Applicant values such assets at approximately \$4,680,500.
8. One of the Company's trade creditors commenced an action against the Company in late-2021 claiming an entitlement to judgment in the amount of over \$1,250,000. In the face of impending judgment enforcement, which would have jeopardized the Company's ability to continue to carry on business or to obtain new sources of financing, and with a view to proposing a compromise with its unsecured creditors for the maximum benefit of all of its stakeholders, the Applicant filed its NOI on February 22, 2022.
9. Since filing the NOI, the Applicant has acted diligently and in good faith by, without limitation:
 - a. working extensively with its counsel and the Proposal Trustee to complete all requisite filings and to develop its proposal with a view to putting the same forward at the earliest possible date;

- b. continuing to carry on and grow its software development and sales business in the ordinary course; and
- c. communicating openly with its major stakeholders.

First Extension

10. Pursuant to *BIA* section 50.4(8), the Company is required to put forward its proposal within 30 days from the filing of its NOI, unless granted an extension by this Honourable Court.
11. This Honourable Court has the discretionary authority pursuant to section 50.4(9) of the *BIA* to extend the time, by a period not exceeding 45 days, in which an insolvent debtor that has filed an NOI is required to put forward a proposal to its creditors. If such extension is not granted, the Company will, immediately and automatically following March 23, 2022, be deemed to have made an assignment into bankruptcy pursuant to section 50.4(8) of the *BIA* to the detriment of all of its creditors, employees, and other stakeholders.
12. The Company, which continues to carry on a viable and growing business, is likely to be able to put forward a viable proposal prior to the expiry of the aggregate 5-month maximum extension period set out in section 50.4(9) of the *BIA*. Additionally, none of the Company's creditors or other stakeholders are likely to be materially prejudiced by the granting of an extension. Resultantly, the Applicant submits that the grant of an initial 45-day extension pursuant to section 50.4(9) of the *BIA* is justified.

Administration Charge

13. Section 64.2(1) of the *BIA* provides the Court with the discretionary authority to grant a Court ordered security interest or charge, ranking ahead of pre-existing security interests or charges, in the assets of a debtor who has filed an NOI to secure the fees and disbursements of the professionals retained to assist the debtor in *BIA* proceedings.
14. The continuing engagement of the Proposal Trustee, any counsel retained by the Proposal Trustee, and the Company's counsel is critical to the Company's chances of success in putting forward a viable proposal in these proceedings. Thus, it is submitted that a grant of the modest Administration Charge proposed by the Company is justified and appropriate.

Material or evidence to be relied on:

15. First Affidavit of Dwayne Vogel, dated March 15, 2022, to be filed;
16. Bench Brief, dated March 15, 2022; and
17. Such further and other material as counsel may advise.

Applicable rules:

18. Rules 6.3(1) and 6.9(1) of the *Alberta Rules of Court*, Alta Reg. 124/2010.

Applicable Acts and regulations:

19. *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3.

Any irregularity complained of or objection relied on:

20. Not applicable to this Application.

How the application is proposed to be heard or considered:

21. Via WebEx, in Virtual Courtroom 86, before the Honourable Justice Burns.

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"

Clerks Stamp:

COURT FILE NUMBER 24-2806908

COURT COURT OF QUEEN'S BENCH OF ALBERTA IN
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JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS
AMENDED

AND IN THE MATTER OF THE NOTICE OF
INTENTION TO MAKE A PROPOSAL OF 915245
ALBERTA LTD. o/a PRAIRIE TECH OILFIELD
SERVICES

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **DLA Piper (Canada) LLP**
2700, 10220-103 Ave NW
Edmonton, AB T5J 0K4
Attention: Jerritt R. Pawlyk / Kevin Hoy
Phone: 780.426.5330
Email: jerritt.pawlyk@dlapiper.com /
kevin.hoy@dlapiper.com
File No.108761-00001

DATE ON WHICH ORDER WAS PRONOUNCED:	March 21, 2022
LOCATION WHERE ORDER WAS PRONOUNCED:	Edmonton, Alberta
NAME JUSTICE WHO MADE THIS ORDER:	Justice Burns

UPON THE APPLICATION of the Applicant, 915245 Alberta Ltd. o/a Prairie Tech Oilfield Services (the "**Debtor**"); **AND UPON** considering the filed Application of the Creditor and the Affidavit of Dwayne Vogel, sworn March 15, 2022; **AND UPON** hearing representations from counsel for the Debtor; **AND UPON** hearing from Deloitte Restructuring Inc. (the "**Proposal Trustee**");

___ no one appearing for the respondent(s)

___ hearing from the respondent(s)

___ hearing from counsel for the respondent(s)

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

1. Service of the Application and supporting materials upon all parties listed on the Service List established in these proceedings by electronic service or facsimile shall be and is hereby deemed to be good, timely and sufficient.

EXTENSION OF TIME TO FILE PROPOSAL

2. Pursuant to section 50.4(9) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 (“BIA”), the period within which the Debtor may file a proposal shall be and is hereby extended to 11:59 p.m. on 11:59 p.m. (Mountain Time) on Thursday, May 5, 2022.
3. The general stay of proceedings against the Debtor imposed by section 69 of the BIA is extended to 11:59 p.m. on 11:59 p.m. (Mountain Time) on Thursday, May 5, 2022.

ADMINISTRATION CHARGE

4. The Debtor shall pay the reasonable fees and disbursements of the Proposal Trustee, counsel
5. for the Proposal Trustee (if any) and the Debtor’s legal counsel (collectively, the “**Professionals**”), which are directly related to these proceedings, as defined in the Application, whether incurred before or after this Order (collectively, the “**Professional Fees**”).
6. Pursuant to section 64.2(1) of the BIA, the Professionals shall be entitled to the benefits of and are hereby granted a charge (the “**Administration Charge**”) on the Debtor’s current and future assets, undertakings, and real or personal property of every kind whatsoever, whosoever situate, and against all proceeds thereof (collectively the “**Property**”).
7. The Administration Charge shall not exceed an aggregate amount of \$50,000.00, as security for the payment of the Professional Fees.
8. The Administration Charge shall have the following priority over the Property:

First - Administration Charge
9. If the Professionals sharing in the benefit of the Administration Charge have claims that, in the aggregate, exceed the maximum authorized amount of that Charge, the Professionals shall share in the benefit of the Administration Charge (as between themselves) on a pro rata basis to the maximum aggregate authorized amount authorized by the Administration Charge.
10. The Administration Charge shall constitute a valid charge on the Property and shall rank in priority to all other security interests, trusts, liens, charges and encumbrances, statutory or otherwise (collectively, “**Encumbrances**”), in favour of any person without the requirement of registration or perfection by other means.
11. The Debtor shall not grant any party any Encumbrances over the Property that ranks or purports to rank in priority of, or *pari passu* with, the Administration Charge without the express and prior written consent of the Professionals or the further Order of this Court.
12. The Administration Charge shall not be rendered invalid, unenforceable, or otherwise be deemed to be limited in any way by:
 - a. the Debtor’s assignment into bankruptcy, whether voluntary, involuntarily or by operation of law;
 - b. any provision(s) in any federal or provincial statute(s); and
 - c. any negative covenant in any existing contract, agreement, or instrument of any kind whatsoever entered into by the Debtor and any third-party.

13. The granting of the Administration Charge does not constitute a fraudulent conveyance, fraudulent preference, transfer at undervalue, oppressive conduct, or any other reviewable or voidable transaction.

AID AND RECOGNITION

14. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Debtor, Proposal Trustee 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 Debtor and the Proposal Trustee, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Debtor, the Proposal Trustee and its agents in carrying out the terms of this Order.
15. This Order and all other orders in these proceedings are declared to have full force and effect in all provinces and territories in Canada.
16. The Electronic Case Information and Service Protocol attached as Schedule "A" hereto (the "**Protocol**") is approved and adopted for this proceeding. Terms which are capitalized herein but otherwise not defined shall bear the respective meanings ascribed to them in the Protocol. Service of documents made in accordance with the Protocol shall (subject to review by the Court at the time of any application) constitute valid and effective service.
17. A case website (the "Case Website") shall be established in accordance with the Protocol with the following URL: <https://www.insolvencies.deloitte.ca/en-ca/Pages/915245-AB-Ltd.-Operating-As-Prairie-Tech-Oilfield-Service.aspx?searchpage=Search-Insolvencies.aspx>
18. The failure of any Person to forward a request for electronic service or a request for facsimile service as provided for and required in the Protocol shall release the Proposal Trustee, the Debtor, and any other interested person serving court materials in this matter from any requirement to provide further notice in respect of these proceedings to any such person until such time as a properly completed request for such service is received from such Person by each of the counsel for the Proposal Trustee and the Debtor.
19. The Debtor and the Proposal Trustee shall be at liberty to serve the Notice on any other interested person by prepaid ordinary mail, courier, personal delivery, facsimile or other electronic transmission to such persons at their respective addresses as last shown on the records of the Debtor.
20. In the event that the Debtor should require an Order for a second extension made pursuant to section 50.4(9) of the *BIA* or other interim relief in these proceedings, the time for service of any such notice of application and materials in support thereof is abridged such that service may be effected not later than 7 days prior to the return date of such application.

GENERAL

21. The Debtor and the Proposal Trustee may, from time to time apply, to this Court to amend this Order, to seek the advice and direction of this Court, or to seek this Court's approval of transactions.

J.C.Q.B.A

SCHEDULE "A"

ELECTRONIC CASE INFORMATION AND SERVICE PROTOCOL

APPLICATION

1. This Electronic Case Information and Service Protocol shall apply to this proceeding except as otherwise ordered by the Court.

DEFINITIONS

2. For the purposes of this Protocol, the following capitalized terms shall have the meanings ascribed below:
 - (a) "**Case Website**" means the website referenced in paragraph * of the Implementation Order;
 - (b) "**Court**" means the Court of Queen's Bench of Alberta, sitting in bankruptcy if applicable;
 - (c) "**Court Document**" means a document in this proceeding which must be served for the purposes of this proceeding and/or is to be filed, or has been filed or issued in the Court, including:
 - (i) originating applications;
 - (ii) notices of application;
 - (iii) affidavits;
 - (iv) reports of a Court Officer;
 - (v) briefs of law;
 - (vi) books of authorities;
 - (vii) draft orders;
 - (viii) fiats; and
 - (ix) issued orders;
 - (d) "**Court Officer**" means the receiver, monitor or proposed trustee appointed by or reporting to the Court in this proceeding;
 - (e) "**Creditor List**" means the list of creditors to be compiled in accordance with the terms of the Implementation Order;
 - (f) "**Email**" means electronic mail transmitted to a specified addressee or addressees;
 - (g) "**Email Address List**" means the Word Format list provided for in paragraph 23 of this Protocol;

- (h) "**Hyperlink**" means an active link located within an Email message or on a website, by which means an interested person can click to be linked to a document or part of a document on the Case Website;
- (i) "**Implementation Order**" means the order of the Court to which this Protocol is scheduled, and by which this Protocol is implemented;
- (j) "**PDF Format**" means the Portable Document Format compatible with a number of programs, including Adobe Acrobat and Acrobat Reader;
- (k) "**Protocol**" means this Electronic Case Information and Service Protocol;
- (l) "**Request for Electronic Service**" or "**RES**" means a request in the form appended to this Protocol as Appendix 1;
- (m) "**Request for Facsimile Service**" or "**RFS**" means a request in the form appended to this Protocol as Appendix 2;
- (n) "**Request for Removal from Service List**" or "**RFR**" means a request in the form appended to this Protocol as Appendix 3;
- (o) "**Service List**" means the list to be created pursuant to paragraphs 16 to 19 of this Protocol;
- (p) "**Service List Keeper**" means the person(s) appointed to keep the Service List pursuant to paragraph 16 of this Protocol;
- (q) "**Supplementary Email Address List**" has the meaning given to it in paragraph 26(b) of this Protocol;
- (r) "**Supplementary Service List**" has the meaning given to it in paragraph 26(a) of this Protocol;
- (s) "**URL**" means a Uniform Resource Locator which acts as an address for a webpage or Hyperlink;
- (t) "**Web Host**" means that person or persons appointed by the Court Officer for the purposes of hosting and maintaining the Case Website and receiving and posting case information to the Case Website as provided for in the Implementation Order and in this Protocol; and
- (u) "**Word Format**" means a format compatible with Microsoft Word

CASE WEBSITE

3. The Case Website shall be established in accordance with the Implementation Order.
4. The Case Website shall be hosted by the Web Host.
5. The Case Website shall be designed to ensure easy public access thereto and to any documents posted thereon. The Case Website shall be specifically devoted to the posting, organization, storage and display of electronic versions of Court Documents and other related documents as provided for herein.

6. The Web Host shall post the following categories of documents, as served or to be served:
 - (a) originating applications;
 - (b) notices of application;
 - (c) affidavits, including exhibits, and other material filed by a moving or responding party with respect to an application;
 - (d) briefs and written arguments filed by any party with respect to an application;
 - (e) books of authorities (where the Web Host, in its discretion, determines that a book of authorities should be posted);
 - (f) reports filed by the Court Officer;
 - (g) orders, fiats, endorsements and judgments;
 - (h) the current version of the Service List and Email Address List;
 - (i) the name and Email address of each of the Service List Keeper(s) and the Web Host(s); and
 - (j) any document that requires dissemination to interested parties, such as summaries of claims processes, proof of claim forms, notices of creditor meetings, plan disclosure statements, plans of reorganization and voting letters, as requested by a party or the Court Officer.
7. Documents that have been sealed by Court order and documents in respect of which sealing orders have been or are being requested shall not be posted on the Case Website.
8. The Web Host may post other case-related information to the Case Website in its discretion. Nothing in this Protocol shall affect any requirements set out in any legislation or regulations with respect to the posting of documents to a website by the Court Officer.
9. To the extent practicable, the Web Host shall post links to foreign proceedings related to this proceeding on the Case Website.
10. If the Web Host is uncertain whether a document should be posted on the Case Website, the Web Host may seek directions from the Court.
11. Any party intending to bring an application in this proceeding shall, if reasonably practicable, provide an electronic copy of Court Documents to be served to the Web Host for posting on the Case Website prior to service to facilitate service by use of Hyperlink.
12. The Web Host shall use its best efforts to post documents provided to it by a party to these proceedings in PDF Format on the Case Website as soon as practicable.
13. The Web Host shall maintain the Case Website for a period of at least six months after the earlier of the completion of this proceeding or the discharge of the Court Officer.

14. The Web Host is entitled to charge for the time spent maintaining the Case Website at its usual hourly rates. No additional charges or fees may be claimed with respect to the establishment and maintenance of the Case Website.
15. The Web Host shall use its best efforts to maintain the Case Website in a current and complete state. In addition to any other protection that may be available to the Web Host by statute or court order the Web Host shall incur no liability or obligation in carrying out the provisions of this Protocol and, in particular, with respect to the creation and maintenance of the Case Website, except as a result of any gross negligence or wilful misconduct on the part of the Web Host.

SERVICE LIST

16. Prior to serving notice of the Implementation Order, the Court Officer shall designate and identify, in conjunction with service thereof, a person or persons who shall be responsible for keeping the Service List in this proceeding (the "**Service List Keeper**").
17. Following service of the Implementation Order, the Service List Keeper shall prepare the initial Service List for this proceeding, which shall include:
 - (a) counsel for the applicant in the proceeding;
 - (b) the Court Officer appointed in the matter and counsel for the Court Officer; and
 - (c) counsel for any party who appeared at the application giving rise to the Implementation Order.
18. Thereafter, the Service List Keeper shall add to the Service List in a timely manner:
 - (a) any person completing and delivering to the Service List Keeper a Request for Electronic Service (or RES) in the form contained in Appendix 1;
 - (b) any person (other than legal counsel, who are required to receive service by Email) completing and delivering to the Service List Keeper a Request for Facsimile Service (or RFS) in the form contained in Appendix 2, in which they certify that they do not have access to Email; and
 - (c) any other person as the Court may order.
19. The Service List shall list names, addresses, Email addresses, facsimile numbers (where permitted pursuant to this Protocol) and telephone numbers (if available) of the persons thereon.
20. Upon adding a person to the Service List, the Service List Keeper shall send an Email (or where permitted, facsimile) message to that person identifying themselves as the Service List Keeper and advising that:
 - (a) the person has been placed upon the Service List,
 - (b) Court Documents will be validly served upon the person by Email (or where permitted, facsimile); and

- (c) any person on the Service List may serve Court Documents on any other person on the Service List in accordance with this Protocol.
21. Any person on the Service List may request in writing that the Service List Keeper remove that person by delivering a Request for Removal from Service List (or RFR) in the form contained in Appendix 3. Upon receipt of any such request, the Service List Keeper shall comply with the request. Subject to order of the Court, upon removal, any such person will no longer be entitled to service of documents or notice of further proceedings.
22. Those persons who are interested in monitoring a proceeding but are not required to be served with Court Documents are not to be placed on the Service List. Such persons should monitor this proceeding by accessing the Case Website.
23. In addition to the Service List, the Service List Keeper shall create and maintain a document, capable of being copied in Word Format, which contains the up to date Email addresses of all persons on the Service List (the "**Email Address List**"). The purpose of the Email Address List is to allow persons on the Service List to copy and paste the Email addresses of the persons listed on the Service List into Emails for the purpose of serving Court Documents. This process is designed to avoid service of Court Documents using out of date or inaccurate Service Lists, and to discourage the undesirable practice of serving Court Documents by a "reply to all" on a previous Email.
24. The Service List Keeper shall, on a timely and periodic basis, provide an updated copy of the Service List and of the Email Address List to the Web Host for posting on the Case Website.
25. The Service List Keeper shall use its best efforts to maintain the Service List and Email Address List in a current and accurate state. In addition to any other protection that may be available to the Service List Keeper by reason of statute or court order, the Service List Keeper shall incur no liability in carrying out the provisions of this Protocol and, in particular, with respect to the creation or maintenance of the Service List and Email Address List, except for any gross negligence or wilful misconduct on its part.
26. During the course of this proceeding, certain applications may require service of Court Documents on respondents with an interest in that particular application only (for example, service on lien claimants with an interest only in a specific property which is the subject of a proposed sale approval and vesting order). In such circumstances:
- (a) the party bringing the application shall prepare a service list identifying only the respondents that the applicant is required to serve or otherwise wishes to serve (a "**Supplementary Service List**");
 - (b) the party bringing the application shall prepare an Email address list corresponding to the Supplementary Service List (a "**Supplementary Email Address List**");
 - (c) the body of the original service Email shall note that the entire Service List has not been served;
 - (d) the party bringing the application shall append the Supplementary Service List and Supplementary Email Address List to the original service Email; and
 - (e) the affidavit of service with respect to that application shall include the Supplementary Service List.

SERVICE OF DOCUMENTS

27. Unless otherwise ordered by the Court, and except as provided herein, Email shall be the required mechanism to serve Court Documents on those persons referenced on the Service List.
28. All Court Documents shall be served by Email by way of a PDF Format file attached to, or by Hyperlink to such Court Document(s) embedded in, a service Email.
29. Any party wishing to serve a Court Document in this proceeding shall serve them upon the recipients listed in the current the Email Address List posted on the Case Website, as well as any recipients listed in the Service List entitled to service other than by e-mail pursuant to this Protocol. If possible, the serving party shall first make enquiries of the Service List Keeper to determine if the Service List Keeper is aware of any person who has filed a request to be added to the Service List or the Email Address List who has not yet been added.
30. Originating Applications, Notices of Application and any other document specified by court order shall be appended in PDF Format to the service Email.
31. All other documents shall, unless it is impracticable to do so by reason of time constraints or otherwise, be served by way of a Hyperlink embedded in the service Email, in accordance with the following:
 - (a) Any party filing material with the Court in these proceedings may request that the Web Host post documents (including Court Documents) to the Case Website. Any such document shall be provided in PDF Format. The Web Host shall post such documents as soon as practicable. The Web Host shall retain the discretion to refuse documents which do not appear to comply with the requirements of this Protocol. The Web Host shall inform the party providing documents immediately upon posting, and provide Hyperlink information for each such document.
 - (b) Where a party is serving more than one document by Email by way of Hyperlink, the service Email shall specify each document being served and shall include a separate Hyperlink for each such document being served.
32. A service Email shall:
 - (a) clearly state in the subject line of the Email:
 - (i) notification that a Court Document is being served;
 - (ii) a recognizable short form name of this proceeding; and
 - (iii) the nature of this proceeding or the order being served;
 - (b) identify the document(s) being served and:
 - (i) where the document(s) is/are attached, so indicate, with the identified documents attached in PDF Format with identifying filenames;
 - (ii) where the document(s) is/are being served by Hyperlink, so indicate and link the document(s) by Hyperlink to the Case Website. Where a party is serving

more than one document in this manner, the service Email shall specify each document being served and shall include a separate Hyperlink for each such document being served;

- (c) identify the party serving the Court Document; and
- (d) provide the date of the proceeding and any other specific information with respect to the proceeding such as, for example, a specific commencement time or court location if known, in substantial accordance with format set forth in Appendix 4.

33. Where service by facsimile is authorized:

- (a) the transmission shall contain a copy of the service Email and of any document attached thereto;
- (b) the facsimile cover sheet shall contain the following notation:

You are being served by fax with court documents, pursuant to the Order of the Court of Queen's Bench of Alberta made <insert date> and in particular, the provisions of paragraphs <insert paragraph numbers> thereof. You may view that Order at the Case Website, and this transmission and reference to that document constitutes service of that Order upon you.

Particulars of the documents to be served and other information related to the associated Court matter are contained in the message following.

Please note that documents referenced in the following message but which are not attached to this transmission may be viewed at the Case Website located at <insert a list of documents and the URL for each document>.

34. Upon serving documents not already posted on the Case Website, the serving party shall immediately send an electronic copy of each to the Web Host, with a request to post the documents.

35. If a serving party receives notification of an Email or facsimile transmission failure, they shall make reasonable efforts to ensure that successful transmission of the Court Document occurs or that the Court Documents and related information come to the attention of the intended recipient or his or her firm.

36. Even though a Court Document has been served in accordance with this Protocol, a person may show that the Court Document:

- (a) did not come to the person's notice;
- (b) came to the person's notice later than when it was served or effectively served; or
- (c) was incomplete or illegible.

37. Each party serving a Court Document in accordance with this Protocol shall prepare an affidavit of service containing the particulars of the service including the Service List served, the Email addresses to which Court Documents were sent and the time of the Emailing. A copy of the affidavit of service shall be filed with the Court.

38. Where, by the nature of the matter before the Court, it is appropriate to serve persons that are not on the Service List, any Court Document may be served as follows:
- (a) if the person is listed on the Creditor List, by prepaid ordinary mail, courier, personal delivery, facsimile or other electronic transmission to such person at their respective addresses as last shown on the Creditor List, in which case service shall be deemed to have been effected if sent by personal delivery, on the date of delivery; if sent by courier, facsimile or other electronic transmission, on the next business day following the date of forwarding thereof; or if sent by prepaid ordinary mail, on the seventh day after mailing;
 - (b) if the person is not listed on the Creditor List, by prepaid ordinary mail, courier, personal delivery, facsimile or other electronic transmission to such persons at their respective addresses as last shown on the records of the applicant or the Court Officer or as otherwise publicly available; and
 - (c) otherwise, by service effected in accordance with *The Court of Queen's Bench Rules*.

APPENDIX 1

REQUEST FOR ELECTRONIC SERVICE ("RES")

Please refer to important notes below.

COURT OF QUEEN'S BENCH OF ALBERTA In Bankruptcy and Insolvency	
In the Matter of the <input type="checkbox"/> CCAA <input type="checkbox"/> Receivership <input checked="" type="checkbox"/> BIA Proposal <input type="checkbox"/> Other _____ of: 915245 Alberta Ltd. (the "Debtor") < Insert URL for Case Website >	
Legal Counsel to Person listed below: (please provide firm name, lawyer's name, address and Email address) Please indicate your preference (by checking applicable box below): <input type="checkbox"/> Serve counsel only <input type="checkbox"/> Serve counsel & person listed below	Law Firm Name: _____ Lawyer Name: _____ Address: _____ _____ Email address: _____
Name of Person requesting Service: (please provide full legal name, address, Email address and describe legal relationship to the Debtor)	Name: _____ Address: _____ _____ Email address: _____
Date: (insert current date)	Date: _____

I acknowledge having read the Electronic Case Information and Service Protocol. I hereby request to be placed on the Service List. By so doing, I agree that the person(s) named above that each accepts service by electronic means in this matter and will be bound by that service:

Name and Position of Person Making Request

**PLEASE RETURN SIGNED COPY OF FORM TO Cassy Anderson:
cassy.anderson@dlapiper.com | 780-637-4518**

IMPORTANT NOTES

1. The Service List is intended to provide a timely and efficient method for effecting service in bankruptcy and insolvency in accordance with the Electronic Case Information and Service Protocol, a copy of which has been posted at *.
2. Persons interested solely in monitoring the proceedings should do so by reference to the Case Website noted above and should not request to be placed on the Service List.
3. By filing this RES form, you hereby agree that that you and any other person referenced herein accepts service by facsimile transmission as the sole means of service and will be bound by that service.
4. Parties residing outside of Alberta should consider whether, based on substantive law, the delivery of an RES constitutes an attornment to the Alberta proceedings.

APPENDIX 2

REQUEST FOR FACSIMILE SERVICE ("RFS")**(only available to parties not having access to Email)***Please refer to important notes below.*

COURT OF QUEEN'S BENCH OF ALBERTA In Bankruptcy and Insolvency	
In the Matter of the <input type="checkbox"/> CCAA <input type="checkbox"/> Receivership <input checked="" type="checkbox"/> BIA Proposal <input type="checkbox"/> Other _____ of: 915245 Alberta Ltd. (the "Debtor") < Insert URL for Case Website >	
Name of Person requesting Service: (please provide full legal name, address, Email address and describe legal relationship to the Debtor)	Name: _____ Address: _____ Facsimile number: _____
Date: (insert current date)	Date: _____

I acknowledge having read the Electronic Case Information and Service Protocol. I hereby request to be placed on the Service List.

I hereby certify that I do not have access to Email, and that I require to be given notice of and to be served with documents by way of facsimile transmission.

By so doing, I agree that I accept service by facsimile in this matter and will be bound by that service:

Name and Position of Person Making Request

PLEASE RETURN SIGNED COPY OF FORM TO *Cassy Anderson: 780-428-1066*

IMPORTANT NOTES:

1. The Service List is intended to provide a timely and efficient method for effecting service in bankruptcy and insolvency in accordance with the Electronic Case Information and Service Protocol, a copy of which has been posted at *.
2. Persons interested solely in monitoring the proceedings should do so by reference to the Case Website noted above and should not request to be placed on the Service List.
3. By filing this RFS form, you hereby agree that you accept service by facsimile transmission as the sole means of service and will be bound by that service.
4. Parties residing outside of Alberta should consider whether, based on substantive law, the delivery of an RFS constitutes an attornment to the Alberta proceedings.

APPENDIX 3

REQUEST FOR REMOVAL FROM SERVICE LIST ("RFR")

Please refer to important notes below.

COURT OF QUEEN'S BENCH OF ALBERTA In Bankruptcy and Insolvency	
In the Matter of the <input type="checkbox"/> CCAA <input type="checkbox"/> Receivership <input checked="" type="checkbox"/> BIA Proposal <input type="checkbox"/> Other _____ of: 915245 Alberta Ltd. (the "Debtor") < Insert URL for Case Website >	
Name of Person or Counsel requesting Removal from Service List: (please provide full legal name, address, Email address (or facsimile number))	Name: _____ Address: _____ _____ Email address: _____
Date: (insert current date)	Date: _____

I wish to opt out of all further notice of these proceedings, and hereby request to be removed from the Service List.

I understand and acknowledge that delivery of this request to any party to this proceeding relieves all parties to this proceeding from any requirement to provide further notice of any steps in these proceedings to me.

I hereby represent that I am the person named above or have authority to deliver this request on behalf of such person.

Name and Position of Person Making Request

PLEASE RETURN SIGNED COPY OF FORM TO Cassy Anderson:
cassy.anderson@dlapiper.com | 780-637-4518

APPENDIX 4

FORMAT FOR SERVICE EMAILS

TO: <Email addresses of parties to be served>
FROM: <Email address of party serving documents>
SUBJECT: Service of Court Documents - QB No. * of * (<Name of Judicial Centre>) -
<Nature of Proceeding or Order Being Served>
ATTACHMENTS: <Documents Attached to Email>

You are hereby served with the Court Documents referenced below by <Name of Counsel> of <Name of Firm>, legal counsel for <Name of Party Represented> <Email address for service of counsel serving>.

The following Court Documents for service are attached to this Email:

<u>Name of Document</u>	<u>Filename</u>
<enumerated list of documents and filenames>	

The following Court Documents for service are posted on the Case Website and can be accessed by way of the links embedded in the filenames below:

<u>Name of Document</u>
<enumerated list of documents with embedded Hyperlinks>

[If required] This matter will be heard on <day>, <date> at <time> before <Justice of the Court if known> at the courthouse at <City>, located at <address>.

This Email is effecting service of court documents pursuant to the Order of the Court of Queen's Bench made <insert date > and in particular, the provisions of paragraphs <insert paragraph numbers> thereof. You may view that Order by clicking <here (with embedded link)>, and this Email constitutes service of that order upon you.

You are receiving this Email because you have filed a request for service of documents in this proceeding with Cassy Anderson. If you do not wish further notice of these proceedings (which includes service of all court documents) you may contact Cassy Anderson at cassy.anderson@dlapiper.com, and ask to be removed.