



FORM 32 (RULE 8-1(4))

No. VLC-S-S-216272  
Vancouver Registry

*In the Supreme Court of British Columbia*

Between

BANK OF MONTREAL

Petitioner

and

FIREWEED BREWING CORP., RAW ENERGY LTD., RONALD KISIC, ROBERT MAITLAND, HER MAJESTY THE QUEEN IN RIGHT OF CANADA, HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, 49<sup>TH</sup> PARALLEL GROUP INC. dba WESTERN CRAFT ALLIANCE

Respondents

**NOTICE OF APPLICATION**

**Name of applicant:** Deloitte Restructuring Inc., in its capacity as Receiver

To: The petitioner and the respondents

TAKE NOTICE that an application will be made by the applicant to the presiding judge at the courthouse at the Vancouver Law Courts, 800 Smithe Street, Vancouver, British Columbia V6Z 2E1 on March 30, 2022 at 9:45 a.m. by Microsoft Teams unless otherwise directed, for the order set out in Part 1 below.

Pursuant to COVID-19 Notice No. 42, claimant's counsel's contact information is as follows:

Email: jwilliams@owenbird.com  
Telephone number: 604-691-7562  
Address: Owen Bird Law Corporation  
2900 – 595 Burrard Street, Vancouver, BC V7X 1J5

**Part 1: ORDER SOUGHT**

1. An order in the form attached as Schedule "A" to this notice of application.

**Part 2: FACTUAL BASIS**

1. Deloitte Restructuring Inc. was appointed as Receiver and Manager ("Receiver") of Fireweed Brewing Corp., and all of its assets, undertaking and property on April 28, 2021 by the Bank of Montreal. On September 3, 2021, this Court issued an order appointing Deloitte as Receiver.
2. The activities of the Receiver are as set out in the Second Report of the Receiver and the affidavit of Jeff Keeble, filed herein.
3. The administration of the receivership is substantially complete and it is appropriate for the Receiver to seek its discharge.

**Part 3: LEGAL BASIS**

1. Rule 10-2 of the Supreme Court Civil Rules;
2. Section 243 and 246 of the *Bankruptcy and Insolvency Act* (Canada);
3. Section 39 of the *Law and Equity Act*, RSBC 1996, c.253, and
4. Order of Mr. Justice Milman, made herein on September 3, 2021, and especially sections 20 – 22.

**Part 4: MATERIAL TO BE RELIED ON**

1. Second Report of the Receiver, made herein on February 25, 2022.
2. Affidavit #1 of Jeff Keeble, sworn on March 3, 2022.
3. Affidavit #1 of Jonathan Williams, sworn on March 7, 2022.

The applicant estimates that the application will take 5 minutes.

This matter is not within the jurisdiction of a master.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this notice of application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 8 business days after service of this notice of application,

- a) file an application response in Form 33,
- b) file the original of every affidavit, and of every other document, that
  - i) you intend to refer to at the hearing of this application, and
  - ii) has not already been filed in the proceedings, and

- c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
  - i) a copy of the filed application response;
  - ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
  - iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

Date: March 10, 2022   
 Signature of lawyer for applicant  
 Jonathan L. Williams

***To be completed by the court only:***

Order made

in the terms requested in paragraphs \_\_\_\_\_ of Part 1 of this notice of application

with the following variations and additional terms:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_ Signature of [ ] Judge [ ] Master

APPENDIX

THIS APPLICATION INVOLVES THE FOLLOWING:

- none of the above

*In the Supreme Court of British Columbia*

Between

BANK OF MONTREAL

Petitioner

and

FIREWEED BREWING CORP., RAW ENERGY LTD., RONALD  
KISIC, ROBERT MAITLAND, HER MAJESTY THE QUEEN IN  
RIGHT OF CANADA, HER MAJESTY THE QUEEN IN RIGHT OF  
THE PROVINCE OF BRITISH COLUMBIA, 49<sup>TH</sup> PARALLEL  
GROUP INC. dba WESTERN CRAFT ALLIANCE

Respondents

**NOTICE OF APPLICATION**

**Name of applicant:** Deloitte Restructuring Inc., in its capacity as Receiver

To: The petitioner and the respondents

TAKE NOTICE that an application will be made by the applicant to the presiding judge at the courthouse at the Vancouver Law Courts, 800 Smithe Street, Vancouver, British Columbia V6Z 2E1 on March 30, 2022 at 9:45 a.m. by Microsoft Teams unless otherwise directed, for the order set out in Part 1 below.

Pursuant to COVID-19 Notice No. 42, claimant's counsel's contact information is as follows:

Email: jwilliams@owenbird.com  
Telephone number: 604-691-7562  
Address: Owen Bird Law Corporation  
2900 – 595 Burrard Street, Vancouver, BC V7X 1J5

**Part 1: ORDER SOUGHT**

1. An order in the form attached as Schedule "A" to this notice of application.

**Part 2: FACTUAL BASIS**

1. Deloitte Restructuring Inc. was appointed as Receiver and Manager ("Receiver") of Fireweed Brewing Corp., and all of its assets, undertaking and property on April 28, 2021 by the Bank of Montreal. On September 3, 2021, this Court issued an order appointing Deloitte as Receiver.
2. The activities of the Receiver are as set out in the Second Report of the Receiver and the affidavit of Jeff Keeble, filed herein.
3. The administration of the receivership is substantially complete and it is appropriate for the Receiver to seek its discharge.

**Part 3: LEGAL BASIS**

1. Rule 10-2 of the Supreme Court Civil Rules;
2. Section 243 and 246 of the *Bankruptcy and Insolvency Act* (Canada);
3. Section 39 of the *Law and Equity Act*, RSBC 1996, c.253, and
4. Order of Mr. Justice Milman, made herein on September 3, 2021, and especially sections 20 – 22.

**Part 4: MATERIAL TO BE RELIED ON**

1. Second Report of the Receiver, made herein on February 25, 2022.
2. Affidavit #1 of Jeff Keeble, sworn on March 3, 2022.
3. Affidavit #1 of Jonathan Williams, sworn on March 7, 2022.

The applicant estimates that the application will take 5 minutes.

This matter is not within the jurisdiction of a master.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this notice of application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 8 business days after service of this notice of application,

- a) file an application response in Form 33,
- b) file the original of every affidavit, and of every other document, that
  - i) you intend to refer to at the hearing of this application, and
  - ii) has not already been filed in the proceedings, and

- c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
  - i) a copy of the filed application response;
  - ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
  - iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

Date: March 10, 2022   
 Signature of lawyer for applicant  
 Jonathan L. Williams

**To be completed by the court only:**

Order made

in the terms requested in paragraphs \_\_\_\_\_ of Part 1 of this notice of application

with the following variations and additional terms:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_ Signature of [ ] Judge [ ] Master

APPENDIX

THIS APPLICATION INVOLVES THE FOLLOWING:

- none of the above

SCHEDULE "A"

No. VLC-S-S-216272  
Vancouver Registry

*In the Supreme Court of British Columbia*

Between

BANK OF MONTREAL

Petitioner

and

FIREWEED BREWING CORP., RAW ENERGY LTD., RONALD  
KISIC, ROBERT MAITLAND, HER MAJESTY THE QUEEN IN  
RIGHT OF CANADA, HER MAJESTY THE QUEEN IN RIGHT OF  
THE PROVINCE OF BRITISH COLUMBIA, 49<sup>TH</sup> PARALLEL  
GROUP INC. dba WESTERN CRAFT ALLIANCE

Respondents

ORDER MADE AFTER APPLICATION

DISCHARGE ORDER

BEFORE ) THE HONOURABLE MR./MADAM ) \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 ) JUSTICE )  
 ) )

THE APPLICATION of DELOITTE RESTRUCTURING INC., in its capacity as Court-appointed Receiver (the "Receiver") of the assets, undertakings and properties of Fireweed Brewing Corp. coming on for hearing at Vancouver, British Columbia, on the \_\_\_\_ day of \_\_\_\_\_, 2022; AND ON HEARING Jonathan L. Williams, counsel for the Receiver, and those other counsel listed on Schedule "A" hereto; AND UPON READING the material filed, including the Report of the Receiver dated \_\_\_\_\_, 2022 (the "Report") and the affidavit of Jeff Keeble, dated February \_\_\_\_, 2022 (the "Fee Affidavit") and the affidavit of Jonathan Williams (the "Legal Fee Affidavit");

THIS COURT ORDERS AND DECLARES THAT:

1. The activities of the Receiver, as set out in the Report, are hereby approved.
2. The fees and disbursements of the Receiver and its counsel, as set out in the Report, the Fee Affidavit and the Legal Fee Affidavit, are hereby approved.
3. After payment of the fees and disbursements of the Receiver as herein approved, the Receiver shall pay all funds remaining in its hands to the Bank of Montreal.
4. Upon payment of the amounts set out in paragraph 3 hereof and upon the Receiver filing a certificate certifying that it has completed the remaining outstanding activities described in the Report, the Receiver shall be discharged as Receiver of the assets, undertaking and property of the Debtor, provided that notwithstanding its discharge herein: (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein; and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of Deloitte Restructuring Inc. in its capacity as Receiver.
5. Deloitte Restructuring Inc. is hereby released and discharged from any and all liability the Deloitte Restructuring Inc. now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of Deloitte Restructuring Inc. while acting in its capacity as Receiver herein, save and except any claim or liability arising out of fraud, gross negligence or wilful misconduct on the part of Deloitte Restructuring Inc. Without limiting the generality of the foregoing, Deloitte Restructuring Inc. is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings.
6. Notwithstanding any provision herein, this Order shall not affect any person to whom notice of these proceedings was not delivered as required by the *Bankruptcy and Insolvency Act* and regulations thereto, any other applicable enactment or any other Order of this Court.



THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND  
CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS  
BEING BY CONSENT:

\_\_\_\_\_  
Signature of Jonathan L. Williams, lawyer  
the Deloitte Restructuring Inc.

By the Court.

\_\_\_\_\_  
Registrar

SCHEDULE "A"

Counsel	Party