

Clerk's Stamp:

COURT FILE NUMBER 2301-04941  
COURT COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY  
PLAINTIFF / DEFENDANT BY BANK OF MONTREAL  
COUNTERCLAIM



DEFENDANT /PLAINTIFF BY WESTMOUNT PROJECTS INC., 2218923 ALBERTA  
COUNTERCLAIM LTD., 1975847 ALBERTA LTD., ANDERSON &  
ASSOCIATES FINANCIAL CORP., IRONCLAD  
PROJECTS LTD., GORDAN D. ANDERSON, AND  
DENI MARIO DANIEL ECHINO

DOCUMENT

**ORDER**

ADDRESS FOR SERVICE AND CONTACT  
INFORMATION OF PARTY FILING THIS  
DOCUMENT

Dentons Canada LLP  
Bankers Court  
15th Floor, 850 - 2nd Street S.W.  
Calgary, Alberta T2P 0R8

Attention: Derek Pontin  
Ph. (403) 268-6301  
Fx. (403) 268-3100  
File No.: 569588-14

DATE ON WHICH ORDER WAS PRONOUNCED: July 5, 2023

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta

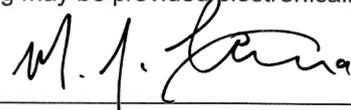
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice Lema

**UPON** the application of Deloitte Restructuring Inc., in its capacity as Court-appointed receiver and manager ("**Receiver**") pursuant to three Orders of the Honourable Justice Lema pronounced on May 15, 2023 in these proceedings (the "**Receivership Orders**"); **AND UPON** reading the First Reports of the Receiver in respect of Westmount Projects Inc. ("**Westmount**"), 2218923 Alberta Ltd. ("**221 Alberta**"), and 1975847 Alberta Ltd. ("**197 Alberta**", and collectively with Westmount and 221 Alberta, the "**Debtors**") (collectively, the "**First Reports**"); **AND UPON** reading the Affidavit of Service of Terry Trojanoski sworn July 4, 2023, to be filed; **AND UPON** hearing submissions from counsel for the Receiver, counsel for the Debtors, counsel for Bank of Montreal, counsel for Canada Revenue Agency, and counsel for Horizon Capital Corporation;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

1. The time for service of the notice of application for this order is hereby abridged and deemed good and sufficient and this application is properly returnable today.
2. The portions of the Receiver's application seeking approval of its accounts for fees and disbursements, the accounts of the Receiver's legal counsel Dentons Canada LLP for their fees and disbursements, and the Receiver's activities as set out in the First Reports and the Statement of Receipts and Disbursements as attached to the First Reports, is adjourned *sine die*, and may be set down for hearing by the Receiver at a future date.
3. Within seven (7) days of service of this Order, Westmount is ordered to:
  - (a) deliver the following personal property to the yard located at 1100 114<sup>th</sup> Avenue SE Calgary, Alberta:
    - (i) 2021 Miller XTM 350 Welder wit Serial No. LG170613A;
    - (ii) 2021 Miller XTM 350 Welder wit Serial No. LF236463;
    - (iii) 2021 Miller XTM 350 Welder wit Serial No. LF1145A;
    - (iv) 2021 Miller XTM 350 Welder wit Serial No. LF304789;
    - (v) 2016 GMC Sierra VIN#3GTU2PEC2GG358326;
    - (vi) 2021 FROR Moel BL714TA2 Serial No. 5NHUBL422MB482082;
    - (vii) 2021 Cantra Model DT8314-14K VIN#2CPUSD2F7MA043011; and
    - (viii) 2021 Cantra Model DT8314-14K VIN#2CPUSD2F9MA043012.
4. Within seven (7) days of service of this Order, Westmount is ordered to advise the Receiver whether it received, and whether it remains in possession of, funds in the amount of \$23,240.00 in respect of security deposits and, if in possession of such funds, pay such funds to the Receiver. If Westmount advises that it received these funds, but is no longer in possession of the same, it must advise the Receiver as to where the funds have been transferred.
5. Within 10 days of service of this Order, Westmount is ordered to provide the Receiver with the information outlined in Annex "1" hereto or to confirm in writing that it does not have such information (or any portion thereof).
6. Westmount is directed to provide any mail correspondence received regarding the Mortgaged Property and Serial Number Property to the Receiver within 10 days of receipt thereof.
7. Abdul Sattar and Farhan Sattar are each directed to take appropriate steps to cause Westmount to comply with the obligations placed on it pursuant to this Order.

8. Service of this Order may be effected on the Debtors by serving their counsel, Llewellyn Law at the email address [cllewellyn@llewellynlaw.net](mailto:cllewellyn@llewellynlaw.net), and service shall be deemed effective one day after being sent by email.
9. Approval of this Order by counsel in attendance at the hearing may be provided electronically and in counterpart.



Justice of the Court of King's Bench of Alberta

Approved as the Order granted by:

Dentons Canada LLP, lawyers for Deloitte Restructuring Inc., Receiver

Per:   
John Regush

Llewellyn Law, lawyers for Westmount Projects Inc., 2218923 Alberta Ltd., and 1975847 Alberta Ltd.

Per:   
Clive Llewellyn

MLT Aikins LLP, lawyers for Bank of Montreal

Per:   
Ryan Zahara

Department of Justice, lawyers for Canada Revenue Agency

Per:   
Bertrand Malo

Barr LLP, lawyers for Horizon Capital Corporation

Per: \_\_\_\_\_  
Brandon Hans

McLennan Ross LLP, lawyers for Canadian Western Bank

Per:   
Ryan Trainer

8. Service of this Order may be effected on the Debtors by serving their counsel, Llewellyn Law at the email address [cllewellyn@llewellynlaw.net](mailto:cllewellyn@llewellynlaw.net), and service shall be deemed effective one day after being sent by email.
9. Approval of this Order by counsel in attendance at the hearing may be provided electronically and in counterpart.

\_\_\_\_\_  
Justice of the Court of King's Bench of Alberta

Approved as the Order granted by:

Dentons Canada LLP, lawyers for Deloitte  
Restructuring Inc., Receiver

Llewellyn Law, lawyers for Westmount  
Projects Inc., 2218923 Alberta Ltd., and  
1975847 Alberta Ltd.

Per: \_\_\_\_\_  
John Regush

Per: \_\_\_\_\_  
Clive Llewellyn

MLT Aikins LLP, lawyers for Bank of Montreal

Department of Justice, lawyers for Canada  
Revenue Agency

Per: \_\_\_\_\_  
Ryan Zahara

Per: \_\_\_\_\_  
Bertrand Malo

Barr LLP, lawyers for Horizon Capital  
Corporation

McLennan Ross LLP, lawyers for Canadian  
Western Bank

Per:   
\_\_\_\_\_  
Brandon Hans

Per: \_\_\_\_\_  
Ryan Trainer

## ANNEX 1 TO THE ORDER

<u>Item Number</u>	<u>Description</u>
1.	Copies of such books and records as may exist for Westmount, reflecting payment of rents to date and going forward.
2.	Confirmation of any security deposits held by Westmount in connection with the prevailing tenancies, including amounts, location held and account information for each.
3.	Copies of the floor plans for each Mortgaged Property.
4.	Information on any existing or potential environmental concerns (e.g. hazardous waste, spills, asbestos, mold) and copies of all Phase I, II and III environmental site assessments and environmental remediation orders for each Mortgaged Property.
5.	An updated summary of aged accounts payable for Westmount, as concerns the Mortgaged Property, including but not limited to, any priority amounts owing to Canada Revenue Agency on account of GST or source deductions and any amounts owing to any municipal tax authority and what constitutes those amounts outstanding.
6.	An updated summary of any accounts receivable for Westmount related to the Mortgaged Property (in addition to rents receivable, demanded above), in the event any exist.
7.	Detailed fixed asset listing/register related to the Mortgaged Property as well as details of any assets that have been disposed of within the past year.
8.	Copies of any goods or services agreements as may relate to the above, and any appurtenant records and documentation to the same.
9.	Summary schedule of finance lease, operating lease and hire purchase contracts related to the Mortgaged Property.
10.	Information on any outstanding insurance claims, pending litigation or liens filed against or related to the Mortgaged Property.
11.	Copies of Bank facility agreements/letters related to the Mortgaged Property.
12.	Security System code for Albert Park.