Form 49 [Rule 13.19]

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JAN 29 2016

JUDICIAL CENTRE OF CALGARY

COURT FILE NUMBER 1501-00955

COURT OF QUEEN'S BENCH

OF ALBERTA

IN BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS

ARRANGEMENT ACT,

R.S.C. 1985, c. C-36, as amended

APPLICANTS LUTHERAN CHURCH – CANADA, THE ALBERTA –

BRITISH COLUMBIA DISTRICT, ENCHARIS

COMMUNITY HOUSING AND SERVICES, ENCHARIS MANAGEMENT AND SUPPORT SERVICES, AND LUTHERAN CHURCH – CANADA, THE ALBERTA – BRITISH COLUMBIA DISTRICT INVESTMENTS LTD.

DOCUMENT AFFIDAVIT

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS

DOCUMENT

Bishop & McKenzie LLP Barristers & Solicitors 1700, 530 - 8<sup>th</sup> Avenue SW Calgary, Alberta T2P 3S8

Attention: Francis N. J. Taman /Ksena J. Court

Telephone: 403-237-5550

Fax: 403-243-3623

File No.: 103,007-003

## AFFIDAVIT OF CAMERON SHERBAN Sworn on January 29, 2016

I, CAMERON SHERBAN, of Calgary, Alberta, SWEAR AND SAY THAT:

- 1. I am the Chief Restructuring Officer of the Applicants. I have personal knowledge of the matters hereinafter deposed, except where stated to be based on information and belief, and where so stated, I verily believe them to be true.
- 2. All capitalized terms used in this Affidavit shall have the meaning ascribed to them in the prior Affidavits filed in these proceedings unless otherwise indicated in this Affidavit.

## RELIEF REQUESTED

- I make this Affidavit in support of the Application for the following relief:
  - (a) confirming an amendment to the purchase and sale agreement respecting the District Office and amending the Approval and Vesting Order (District Office) granted November 5, 2015;
  - (b) an Order sealing my Third Confidential Affidavit;
  - (c) such further and other relief as this Honourable Court may allow.

## AMENDMENT TO DISTRICT OFFICE ORDER

- 4. The purchaser of the District Office has requested a reduction to the purchase price for the District Office. It is unlikely that the sale of the District Office will close if the purchase price is not reduced.
- Affidavit and made available only to the Monitor and the Honourable Justice hearing the application. It is requested that my Third Confidential Affidavit be sealed and that the terms of the sale not be disclosed without further Order of this Court. The Applicants make this request so that the District is not prejudiced by the sale price being disclosed in a public document in the event that the sale does not close.
- 6. I am advised by representatives of the District that it requests that the Court approve the requested price reduction.
- 7. The Monitor and I are aware of the requested price reduction and approve of it. I am advised by the Monitor that the District Creditors' Committee also approved of the price reduction.
- 8. I make this Affidavit in support of an Application for the relief described above.

SWORN BEFORE ME at Calgary, Alberta, this 29th day of January, 2016.

Commissioner for Oaths in and for Alberta

JONATHAN A. LANG Barrister & Solicitor Cameron Sherban