



COURT FILE NUMBER 25-1799518
25-1799530
25-1799540
25-1799546
25-1799555
25-1800429

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

IN THE MATTER OF THE BANKRUPTCY OF
PLG CORPORATE SERVICES INC.
PLG RESIDENTIAL SERVICES INC.
SAS-CAN MASONRY AND RESTORATION INC.
ASTY CONSTRUCTION INC.
CON-FORTE CONTRACTING COMPANY INC.
PLUMB-LINE GROUP HOLDINGS INC.
(collectively referred to as the "Plumb-Line Group")

APPLICANT **DELOITTE RESTRUCTURING INC., IN ITS CAPACITY AS TRUSTEE IN BANKRUPTCY, and not in its personal capacity**

DOCUMENT **APPLICATION**

Field LLP
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File No. 58083-2

NOTICE TO RESPONDENT

This Application is made against you. You are a Respondent.

You have the right to state your side of this matter before the Justice.

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

DATE	<u>Tuesday, February 9, 2016</u>
TIME	<u>10:00 a.m. – Commercial List</u>
WHERE	<u>Court House, Calgary, Alberta</u>
BEFORE WHOM	<u>Justice C. M. Jones</u>

Go to the end of this document to see what else you can do and when you must do it.

The Applicants seek an Order:

1. Abridging the time for service of this Application and the supporting materials, as necessary, and deeming service thereof to be good and sufficient.
2. Approving or confirming the settlement between Deloitte Restructuring Inc., in its capacity as Trustee in Bankruptcy of Con-Forte Contracting Company Inc., (the "**Trustee**"), Intact Insurance Company (formerly known as JEVCO Insurance Company) ("**Intact**") and Lockerbie Stanley Water Ltd., part of the AECON Group Inc. ("**Lockerbie**"), as outlined in the Trustee's Fifth Report dated February 1, 2016 (the "**Fifth Report**") and directing the Trustee to take such steps as may be necessary or desirable to effect the settlement.
3. Approving or confirming the settlement between the Trustee and Chandos Construction Ltd. ("**Chandos**"), as outlined in the Fifth Report and directing the Trustee to take such steps as may be necessary or desirable to effect the settlement.
4. Approving a distribution to PNC Bank Canada, the Labourer's Pension Fund of Western Canada and the Labourer's Health and Welfare Trust Fund of Western Canada, as outlined in the Fifth Report.
5. Such further and other relief as Counsel may seek.

Grounds of the Application:

6. The Plumb-Line Group was assigned into bankruptcy on October 16, 2013 and October 18, 2013.
7. The Trustee, with the approval of the Estate's Inspectors, has entered into a settlement agreement with Intact and Lockerbie, subject to approval of the Court.
8. The Trustee, with the approval of the Estate's Inspectors, has agreed to a settlement with Chandos, subject to approval of the Court.
9. The Trustee has taken certain actions in the administration of the Plumb-Line Group as reported in the Fifth Report for which it seeks approval of this Honourable Court.

10. The Trustee has proposed a distribution of funds received in the bankruptcy to PNC Bank Canada which holds a valid first charge security over the funds and seeks the Court's approval of the same as set out in the Fifth Report.
11. The Trustee has proposed a distribution of funds received in the bankruptcy to the Labourer's Pension Fund of Western Canada and the Labourer's Health and Welfare Trust Fund of Western Canada in respect of the priority thereof, up to the total amount of such claims, as set out in the Fifth Report.
12. The Inspectors of the Estate have approved the settlements and distribution.
13. Such further and other grounds as counsel may advise.

Material or evidence to be relied on:

14. First Report of the Trustee dated December 10, 2013.
15. Second Report of the Trustee dated April 29, 2014.
16. Third Report of the Trustee dated November 12, 2014.
17. Fourth Report of the Trustee dated June 11, 2015;
18. Supplemental Fourth Report of the Trustee dated August 7, 2015;
19. Fifth Report of the Trustee dated February 1, 2016;
20. Such further and other materials as counsel may advise and this Honourable Court may permit.

Applicable Rules:

21. *Alberta Rules of Court*, Rule 372.
22. Such further and other rules as counsel may advise.

Applicable Acts and Regulations:

23. *The Bankruptcy and Insolvency Act*, R.S.C. 1985, c B-3.
24. *Builders' Lien Act*, R.S.A. 2000, c.B-7.

25. *Income Tax Act.*
26. *Excise Tax Act.*
27. The inherent jurisdiction of this Honourable Court.
28. Such further and other Acts and regulations as counsel may advise.

Any irregularity complained of or objection relied on:

29. N/A

How the Application is proposed to be heard or considered:

30. This Application is proposed to be heard in Justice Chambers.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the Applicant 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.