COURT FILE NUMBER

1501-00955

COURT

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** 

**ORDER (Sealing 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

DATE ON WHICH ORDER WAS PRONOUNCED:

**TUESDAY, FEBRUARY 23, 2016** 

LOCATION WHERE ORDER WAS PRONOUNCED:

CALGARY, ALBERTA

CLERK OF THE COURT

FILED

FEB 2 4 2016

JUDICIAL CENTRE

OF CALGARY

NAME OF JUSTICE WHO MADE THIS ORDER:

JUSTICE J. STREKAF

**UPON THE APPLICATION** of 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. (collectively the "Applicants"); **AND UPON HAVING READ** the Application,

the Affidavits of Cameron Sherban; AND UPON READING the Reports of the Monitor; AND UPON HEARING counsel for the Applicants, counsel for the Monitor, and other interested parties;

## IT IS HEREBY ORDERED AND DECLARED THAT:

- 1. Division 4 of Part 6 of the Alberta Rules of Court does not apply to this Application.
- 2. Until the Monitor delivers a certificate to the Court certifying that the sale of the Elkford Lands has closed substantially in accordance with the terms of the purchase and sale agreement for the Elkford Lands, the Fourth Confidential Affidavit of Cameron Sherban, sworn February 16, 2016 (the "Fourth Confidential Affidavit of Cameron Sherban") and the Affidavit of Service of Charlene Everett dealing with the service of the Application upon the purchaser under the Purchase and Sale Agreement for the Elkford Lands approved by the Court on February 23, 2016, shall be sealed and kept confidential, to be shown only to a Justice of the Court of Queen's Bench of Alberta, and accordingly, shall be filed with the Clerk of the Court who shall keep the Fourth Confidential Affidavit of Cameron Sherban and the Affidavit of Service of Charlene Everett in a sealed envelope, which shall be clearly marked "SEALED PURSUANT TO THE ORDER OF THE HON. JUSTICE J. STREKAF DATED FEBRUARY 23, 2016". Notwithstanding the foregoing, the Applicants and the Monitor may provide later Affidavit evidence or reports to the Court respecting the sale which is the subject of the Fourth Confidential Affidavit of Cameron Sherban once such sale has closed.

3. Any party may apply to set aside this Order upon providing the Applicants, the Monitor and all interested parties with five (5) days notice of such application.

Justice of the Court of Queen's Bench of Alberta