

2019

Hfx No. 494188

Supreme Court of Nova Scotia
In Bankruptcy and Insolvency

IN THE MATTER OF: the Receivership of Civic Homes Limited

Between:

Royal Bank of Canada

Applicant

-and-

Civic Homes Limited

Respondent

NOTICE OF MOTION

To: Schedule "A" Service List

Motion

Deloitte Restructuring Inc., court appointed receiver of the Respondent (the "Receiver"), moves for an order:

1. Approving the actions of the Receiver to date as described in the Third Report of the Receiver;
2. Taxing and approving the accounts and expenses of the Receiver and its counsel;
3. Authorizing a distribution of funds from the Receiver to (i) the Applicant; (ii) Loon Lake Developments Limited; and (iii) Dexter Construction Company Limited;
4. Authorizing the distribution of the balance of funds remaining in trust with the Receiver to Deloitte Restructuring Inc., in its capacity as trustee in bankruptcy of the Respondent; and
5. Discharging the Receiver.

Time and place

The motion is to be heard by a Judge on Friday, February 26, 2021 at 9:30 a.m. in the Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia. The moving party has set the motion for hearing in a half-hour or less in General Chambers. The moving party says that the motion will not require more time.

References

The moving party relies on the following legislation, Rules, or points of law:

1. The Order of this Court issued April 30, 2020 appointing the Receiver;

2. The Order of this Court issued October 13, 2020 authorizing a sale of assets and the bankruptcy of the Respondent;
3. Civil Procedure Rule 73.11; and
4. *Bankruptcy and Insolvency Act*, sections 243.

Evidence

The evidence in support of the motion is as follows:

1. Affidavit of James Foran as to fees of the Receiver
2. Affidavit of Gavin MacDonald as to fees of legal counsel and encumbrances; and
3. Third Report of the Receiver dated February 18, 2021.

Possible order against you

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed order should be made. If you do not attend, the Judge may grant an order without further notice to you.

Signature

Signed on February 18, 2021.



Signature of Counsel

Gavin MacDonald as Counsel for Deloitte
Restructuring Inc.
Cox & Palmer
Suite 1100 Purdy's Wharf Tower One
1959 Upper Water Street
Halifax NS B3J 3N2
Tel: (902) 421-6262
Fax: (902) 421-3130

Schedule "A" - Service List

Party	Contact Details	Method of Service
Canada Revenue Agency	Shawinigan-Sud National Verification and Collection Centre Canada Revenue Agency 4695 Shawinigan-Sud Blvd. Shawinigan QC G9P 5H9	Fax: 1-866-229-0839
Civic Homes Limited	c/o Matthew Moir Weldon McInnis 118 Ochterloney Street Dartmouth, NS B2Y 1C7 Cc: Nicole Power	MMoir@weldonmcinnis.ca NPower@weldonmcinnis.ca
Dexter Construction Company Limited	c/o Ken MacLean The Municipal Group of Companies Vice President and General Counsel 927 Rocky Lake Drive Bedford, NS B4A 3Z2 cc: Andrew Inch	kmaclean@municipalgroup.ca ainch@municipalgroup.ca
Halifax Regional Municipality	c/o Randolph Kinghorne Halifax Regional Municipality Legal Services Duke Tower, 3rd Floor 5251 Duke Street PO Box 1749 Halifax, NS B3J 3A5	kinghor@halifax.ca
Loon Lake Developments Limited	c/o Anthony (Tony) M. Tam Q.C. McInnes Cooper 1969 Upper Water St., Suite 1300 Purdy's Wharf Tower II Halifax, NS B3J 3R7 cc: Stephen Kingston	anthony.tam@mcinnescooper.com stephen.kingston@mcinnescooper.com
Mohsen Teimouri	c/o Matthew Moir Weldon McInnis 118 Ochterloney Street Dartmouth, NS B2Y 1C7 Cc: Nicole Power	MMoir@weldonmcinnis.ca NPower@weldonmcinnis.ca

Nova Scotia Power Incorporated	c/o Brian Curry Recognized Agent/In-House Counsel 1223 Lower Water Street 6th Floor, Unit B Halifax, NS B3J 3S8	Brian.Curry@nspower.ca
Royal Bank of Canada	c/o Maurice Chiasson Stewart McKelvey Queen's Marque 600-1741 Lower Water Street Halifax, NS B3J 0J2 Cc: Sara Scott	mchiasson@stewartmckelvey.com sscott@stewartmckelvey.com
Sobeys Land Holdings Limited	c/o L. Jane McDow Sobeys Inc. Recognized Agent/General Counsel 115 King Street Stellarton, NS BOK 1S0	Jane.mcdow@sobeys.com