

IN THE COURT OF APPEAL OF ALBERTA

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
RSC 1985, c C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF UBG BUILDERS INC., ALBERTA BUILDERS CAPITAL INC., ALPINE HOMES (2006) INC., AMERICAN BUILDERS CAPITAL (US) INC., EDGEWATER AT GRIESBACH INC., ELITE HOMES (2006) LTD., EVOLUTION BY GREENBORO INC., GREENBORO COMMUNITIES (2006) INC., GREENBORO ESTATE HOMES (2006) LTD., GREENBORO HOMES (2006) LTD., GREENBORO LUXURY HOMES INC., HIGH POINTE INC., MOUNTAINEERS VILLAGE (2006) INC., MOUNTAINEERS VILLAGE II INC., ORIGINS AT CRANSTON INC., SOUTH TERWILLEGAR VILLAGE INC., THE BRIDGES MANAGEMENT INC., THE LEDGES INC., TIMBERLINE LODGES (2006) INC., TODAY'S COMMUNITIES (2006) INC., TODAY'S HOMES (2006) INC., TUSCANY DEVELOPMENTS (2006) INC., UBG ALBERTA BUILDERS (2006) INC., UBG ALPINE HOMES (2006) LTD., UBG BRIDGES INC., UBG BUILDERS (USA) INC., UBG COMMERCIAL INC., UBG LAND INC., UBG LOT DEPOSIT CORP., UBG 4500 CALGARY INC., UBG 75 CAN MORE INC., UBG 808 CALGARY INC., UNITY INVESTMENTS (2012) INC., VALMONT AT ASPEN STONE INC., VALOUR PARK AT CURRIE INC., VILLAGE AT THE HAMPTONS INC., VILLAGE ON THE PARK INC., WILDERNESS HOMES BY RIVERDALE INC., WILDERNESS RIDGE AT STEWART CREEK INC.

Respondents
(Respondents)

STREETSIDE DEVELOPMENT CORPORATION

Applicant
(Not a Party to the Chambers Application)

NOTICE OF MOTION

TAKE NOTICE that an application will be made on behalf of the Applicant, Streetside Development Corporation ("Streetside") before the presiding Justice of the Court of Appeal sitting in Chambers at the TransCanada Pipelines Tower 2600, 450 – 1st Street S.W., Calgary, Alberta, on September 4, 2013 at 10:00am, or as soon thereafter as may be heard for an Order for the following:

1. That leave to appeal be granted to Streetside, as required by section 13 of the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, with respect to an appeal of the Order on an expedited basis.

2. That the order granted by Justice C.A. Kent of the Alberta Court of Queen's Bench on August 30, 2013 (the "Order") be stayed subject to an appeal being heard on an expedited basis, and a decision rendered by this Honourable Court; and

AND FURTHER TAKE NOTICE in support of the application will be read:

1. Affidavit of Glynn Hendry, dated September 3, 2013; and
2. Memorandum of Argument, dated September 3, 2013.

And any other information as may be advised and this Honourable Court may allow.

DATED on this 3rd day of September, 2013, Calgary, Alberta.

Estimate of time: 30 minutes.

ROSE LLP

Per:


E. Jane Sidnell
Counsel for the Applicant,
Streetside Development Corporation

TO: The Registrar of the Court of Appeal

And To: Service List as at August 27, 2013 (below)

And To: Supplemental Service List as at August 21, 2013 (further below)

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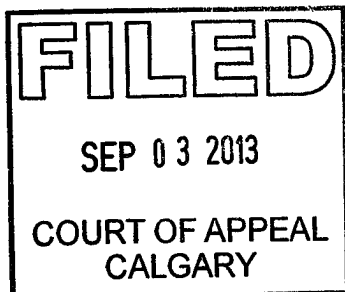
Appeal No. 1301-0244AC

Q.B. Action No. 1201-05843

NOTICE TO THE RESPONDENTS:

A respondent who fails to comply with the requirements of the Alberta Rules of Court and the Court of Appeal Consolidated Practice Directions, within the prescribed time, will not be allowed to present oral argument on the application, nor be entitled to costs of the application, unless otherwise ordered. Failure to appear may also lead to an order or judgment being made against the respondent in their absence.

Unless otherwise ordered at the hearing, the maximum time for oral argument (including reply) will be 15 minutes per separately represented party, except for applications for leave to appeal where the maximum time allowed will be 30 minutes per separately represented party.



IN THE COURT OF APPEAL OF ALBERTA

**IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,
RSC 1985, c C-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF UBG BUILDERS INC., ALBERTA BUILDERS CAPITAL INC., ALPINE
HOMES (2006) INC., AMERICAN BUILDERS CAPITAL (US) INC.,
EDGEWATER AT GRIESBACH INC., ELITE HOMES (2006) LTD.,
EVOLUTION BY GREENBORO INC., GREENBORO COMMUNITIES (2006)
INC., GREENBORO ESTATE HOMES (2006) LTD., GREENBORO HOMES
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MOUNTAINEERS VILLAGE (2006) INC., MOUNTAINEERS VILLAGE II INC.,
ORIGINS AT CRANSTON INC., SOUTH TERWILLEGAR VILLAGE INC., THE
BRIDGES MANAGEMENT INC., THE LEDGES INC., TIMBERLINE LODGES
(2006) INC., TODAY'S COMMUNITIES (2006) INC., TODAY'S HOMES
(2006) INC., TUSCANY DEVELOPMENTS (2006) INC., UBG ALBERTA
BUILDERS (2006) INC., UBG ALPINE HOMES (2006) LTD., UBG BRIDGES
INC., UBG BUILDERS (USA) INC., UBG COMMERCIAL INC., UBG LAND
INC., UBG LOT DEPOSIT CORP., UBG 4500 CALGARY INC., UBG 75 CAN
MORE INC., UBG 808 CALGARY INC., UNITY INVESTMENTS (2012) INC.,
VALMONT AT ASPEN STONE INC., VALOUR PARK AT CURRIE INC.,
VILLAGE AT THE HAMPTONS INC., VILLAGE ON THE PARK INC.,
WILDERNESS HOMES BY RIVERDALE INC., WILDERNESS RIDGE AT
STEWART CREEK INC.**

Respondents
(Respondents)

STREETSIDE DEVELOPMENT CORPORATION

Applicant
(Not a Party to Chambers Application)

NOTICE OF MOTION

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