

COURT FILE NO. B203 582587
ESTATE NO. 24-2582587
COURT Court of Queen's Bench of Alberta
JUDICIAL CENTRE Edmonton



IN THE MATTER OF THE NOTICE OF
INTENTION TO MAKE A PROPOSAL OF
MCG RESTAURANTS LTD.

I hereby certify this to be a
true copy of the original.

Christina Jupp
for Registrar in Bankruptcy

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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DATE ON WHICH ORDER WAS PRONOUNCED: **Wednesday, December 11, 2019**
LOCATION OF HEARING: **Edmonton, Alberta**
NAME OF JUSTICE WHO MADE THIS ORDER: **Justice D.R. Mah**

UPON THE APPLICATION of MCG Restaurants Ltd. ("MCG") for an extension of time within which to file a Proposal to its creditors with the Official Receiver and to establish an electronic service protocol for the within proceedings; AND UPON having reviewed the Affidavit of Rob Morris dated December 2, 2019 and the First Report of the Proposal Trustee, Deloitte Restructuring Inc. (the "Trustee"), both filed; AND UPON hearing the submissions of counsel for MCG, counsel for the Trustee, and counsel for Canadian Western Bank ("CWB"); AND UPON it appearing it is appropriate to make the within Order;

IT IS HEREBY ORDERED THAT:

Service

- 1) Service of the Application materials herein is abridged to time given, is deemed good and sufficient and the application is properly returnable today.

Extension of Time Within Which to File a Proposal

- 2) The time period within which MCG is required to file a Proposal to its creditors with the Official Receiver is hereby extended to January 24, 2020.

Electronic Service Protocol

- 3) The following electronic service protocol for service of notice of Court applications initiated by MCG or other interested parties, other than the Trustee, is hereby authorized to be carried out as follows:
- a) An explanatory notice explaining the within service protocol shall be served by the Trustee by regular mail on all of MCG's creditors as listed in the Creditors Package dated November 12, 2019;
 - b) Any creditors wishing to receive notice by way of e-mail in accordance with the electronic service protocol shall, as soon as possible, provide in writing their name and e-mail address at which notice of proceedings can be provided to Duncan Craig LLP, Attention: Karla Sookdeo at ksookdeo@dcllp.com;
 - c) For all future materials requiring service or applications to be made by MCG or interested parties other than the Trustee, MCG and those parties shall only be required to serve those creditors who provide an e-mail address for service to Duncan Craig LLP;
 - d) Duncan Craig LLP shall use its best efforts to maintain and update as necessary a list of creditors who provide their e-mail addresses for service in accordance with the foregoing paragraph (the "Service List") and shall provide the Service List, and any updates made to it as addresses are received, to the Trustee for posting to the website noted below which the Trustee is to maintain for the purpose of these proceedings;
 - e) For those creditors who do not provide an e-mail address as provided for herein, service of all future materials or applications may be effected by posting the materials or applications on the Trustee's website at www.insolvencies.deloitte.ca under the link for "MCG Restaurants Ltd.". No further service of process, except for Trustee initiated processes, shall be required;
 - f) Any party wishing to serve material in accordance with this protocol shall effect service on those parties listed in the Service List by e-mail and in respect of those parties who do not provide any e-mail address, shall provide filed copies of all materials to the Trustee for posting to the Trustee's website prior to the hearing; and
 - g) Service of notice of applications or other material in accordance with this protocol shall be deemed to be received by the parties served:
 - i) In the case of service by e-mail, on the same day as the e-mail transmission is effected; and
 - ii) In the case of posting to the Trustee's website, the day following the date of posting.

- 4) In respect of all Trustee initiated processes or any applications brought by the Trustee, the Trustee shall continue to follow the service of notice requirements under the provisions of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended.

"D.R. MAH"

JUSTICE D.R. MAH