

Brenton·Kean

LAWYERS AVOCATS

July 22, 2026

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Via Email

The Honourable Darrell J. Stephenson
c/o Melanie Patrick
Judicial District of Saint John
10 Peel Plaza
Saint John, NB

Dear Mr. Justice Stephenson:

**Re: In the Matter of the Receivership of Royal Oaks Golf Club Inc.
CWB Maximum Financial Inc. v. Royal Oaks Golf Club Inc.
Court File No. SJM-44-2024**

I act on behalf of Walter Steven Lunn.

The Receiver has determined Mr. Lunn to be an unsecured creditor of Royal Oaks Golf Club Inc (“ROGC”) and recommended payment to Mr. Lunn in the amount of \$629,856.00 – see paragraphs 23-27 of the Receiver’s Fourth Report dated April 16, 2026 and filed with the Court on April 23rd. Mr. Lunn accepts the Receiver’s determination and recommendation.

On June 15, 2026, I was copied on an email from Josie Marks, KC, to the Receiver’s counsel, Stephen Kingston, wherein Ms. Marks stated that her client, TW1 Oaks Inc “does not agree with the Receiver’s recommendation in relation to [Mr. Lunn’s] claim and will be providing submissions to the Court accordingly.” Ms. Marks’ email of June 15th is attached.

On June 22nd I was advised by Mr. Kingston’s office of the return date (July 29th) for the Receiver’s motion for approval of its Fourth Report.

It was not until the afternoon of last Friday, July 17th, that I received the affidavit of Esmond Cloutier, a director of TW1 Oaks Inc, and correspondence from Ms. Marks outlining the grounds for TW1 Oaks Inc’s objection. Ms. Marks indicated that she would be making submissions to the Court. No written submissions have been received by me to date.

I am not available to attend the Receiver’s motion on July 29, 2026. I will be in trial before Chief Justice DeWare in Burton in matters numbered FC-312-15 and FC-77-16 July 28th through 30th.

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The trial of those matters began in May and ran for portions of two weeks before being adjourned. I am also in a settlement conference in Burton next Monday, July 27th.

My partner, Bill Kean, advised the Receiver's counsel of my unavailability for the motion on the afternoon of July 17th, after receiving Ms. Mark's letter and accompanying affidavit. Mr. Kean indicated to the Receiver that he would be asking the Court for a separate hearing date when I am available to attend should the Court be inclined to entertain TW1 Oaks Inc's objections.

Aside from my inability to attend the July 29th motion hearing, my client seeks time to prepare and file a comprehensive responding affidavit and brief addressing the issues now raised by TW1 Oaks Inc. I have been focussed on trial preparation this week, which preparation continues.

Yesterday, Ms. Marks sent an email to Mr. Kean advising that TW1 Oaks Inc was not seeking a separate hearing date. It is somewhat unclear to me from that email whether TW1 Oaks Inc will be objecting to a later hearing date to accommodate my client and myself. A copy of the string of emails passing between Ms. Marks, Mr. Kean and Mr. Kingston is attached. Obviously, Ms. Marks' email has caused my client some apprehension and concern – hence this letter.

I am in receipt of Mr. Kingston's July 21st letter to the Court on behalf of the Receiver. The course recommended by the Receiver is acceptable to Mr. Lunn. The Receiver's recommendations create no risk of prejudice to any party.

Respectfully submitted,

BRENTON KEAN



Michael D. Brenton

MDB/rgw
Enclosures

cc: **Stephen Kingston**
Josie Marks, K.C.
Steven Lunn

*Michael Brenton Professional Corporation