

Our File: 245534

July 21, 2026

*Delivered via Purolator*

**The Honourable Justice Darrell J. Stephenson**

New Brunswick Court of King's Bench  
Judicial District of Saint John  
Saint John Law Courts  
10 Peel Plaza  
Saint John, NB E2L 3G6

My Lord:

**Re: Royal Oaks Golf Club Inc. (In Receivership)**  
**Court File No. SJM-44-2024**

We are counsel to Deloitte Restructuring Inc. in its capacity as Court-appointed Receiver of Royal Oaks Golf Club Inc. ("**Royal Oaks**").

The Receiver has scheduled a Motion to be heard before Your Lordship in Saint John on **Wednesday, July 29, 2026 at 10:30 AM.**

**Challenge to Lunn Proof of Claim**

The relief being sought by the Receiver is set out in the Notice of Motion which has been filed with the Court, and includes Court approval of the proposed distribution of funds held by the Receiver as set out in the Receiver's Fourth Report to the Court. The proposed distribution is consequential to the Claim Process conducted by the Receiver in accordance with the Court's Order dated December 17, 2024 and as set out in the Fourth Report.

Steven Walter Lunn is one of the creditors who filed a Proof of Claim with the Receiver as part of the Claim Process. After reviewing and considering the Lunn Proof of Claim, the Receiver determined that it should be allowed in full (subject to Court approval).

The Receiver has recently received an Affidavit filed by another creditor, Esmond Clouthier, which disputes the allowance of the Lunn Proof of Claim. Mr. Clouthier's Affidavit will form part of the Record on Motion being filed by with the Court.

Mr. Lunn's counsel, for his part, has advised that he will be submitting materials in response.

The Receiver has not, to date, received any materials disputing its disposition of any other claim.

### **July 29 Motion**

Under these circumstances, the Receiver proposes that, at the Motion Hearing:

1. The Court set a date for the hearing of the dispute regarding the Lunn Proof of Claim, with appropriate filing deadlines.

The Receiver will review all materials submitted to the Court in advance of the hearing date and will file a Supplementary Report setting out its recommendations to the Court.

The Receiver will retain the full amount of the Lunn claim pending further Order of Court;

2. The Court approve the remaining proposed distributions (and holdbacks) as set out in the Fourth Report, and authorize the Receiver to proceed accordingly;
3. The Court approve the fees and disbursements of the Receiver and its legal counsel as set out in the Fourth Report; and
4. Deloitte's request to be discharged be adjourned without day.

It is submitted that proceeding in this fashion would allow the Receiver to distribute funds to those parties whose claims are not in dispute, while at the same time preserving funds pending the disposition of Mr. Lunn's claim and resolution of the HST claim.

The Receiver

We are providing a copy of this letter to the Service List.

Yours very truly,

**McINNES COOPER**



Stephen Kingston

Cc: Deloitte Restructuring Inc.  
The Service List