



NO. B-250061

ESTATE NO. 11-254734

DISTRICT OF BRITISH COLUMBIA
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY & INSOLVENCY

IN THE MATTER OF THE BANKRUPTCY OF
TRILOGY CONCRETE 2021 LTD.

This is the Petition of:

Deloitte Restructuring Inc., as court appointed receiver (in such capacity, the "**Receiver**") without security, of certain lands, other assets, and property of Whitewater Concrete Ltd. ("**Concrete**"), Whitewater Developments Ltd., ("**Developments**" and together with Concrete, the "**Operating Companies**") and 145 Golden Drive Ltd., pursuant to the Receivership Order (the "**Receivership Order**") granted on July 2, 2024, c/o 1600 – 925 West Georgia Street Vancouver, BC V6C 3L2

PETITION FOR BANKRUPTCY ORDER

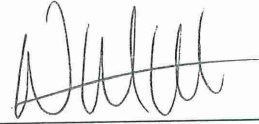
The Receiver, care of 1600 – 925 West Georgia Street, in the City of Vancouver, in the Province of British Columbia, HEREBY PETITIONS THE COURT that Trilogy Concrete 2021 Ltd., ("**Trilogy**") having its registered office at Unit 2 – 107 Kings Road West, North Vancouver, British Columbia, be adjudged bankrupt and that a Bankruptcy Order be made in respect of the property of Trilogy, last carrying on business in the Province of British Columbia, AND SAYS:

1. That Trilogy has at some time during the year next preceding the filing of this Petition maintained its registered office in the City of North Vancouver, within the jurisdiction of this Court.
2. Pursuant to the Receivership Order, the Receiver is appointed Receiver, without security, of, among other things, the current assets, claims, and choses in action of the Operating Companies, including without limitation all accounts receivable, inventory, cash, and pre-paid deposits.

3. That Trilogy is reporting that it is justly and truly indebted to Concrete for the sum of \$2,847,955 (the “**Indebtedness**”) on account of outstanding invoices issued to Trilogy for labour and material provided for the development of the new St. Paul’s Hospital (the “**Project**”) for which Trilogy has failed to pay. Concrete’s books and records indicate that Trilogy is indebted to Concrete for approximately \$6.7 million as at May 31, 2024, but the Receiver has not been provided with information to reconcile this amount.
4. Concrete does not hold any security on Trilogy’s property, or on any part thereof, for the payment of the Indebtedness.
5. Trilogy has advised the Receiver that the current estimated cost to complete the Project is \$500,000.
6. Trilogy, within the six (6) months next preceding the date of the filing of this Petition has committed the following act (or acts) of bankruptcy, namely that it has ceased to meet its liabilities generally as they become as, as it has:
 - (a) failed to pay the amounts due and owing to Concrete, as set out in paragraph 3 above;
 - (b) failed to pay \$218,781 due and owing to Canada Revenue Agency (“**CRA**”) for collected but unremitted Goods and Services Tax for November 2024;
 - (c) failed to pay the amounts due and owing to its sub-contractors (the “**Sub-Contractors**”) on account of outstanding invoices issued to Trilogy for labour and materials provided by the Sub-Contractors for the Project, in the sum of \$8,860.683, as at November 30, 2024, plus any applicable interest thereafter; and
 - (d) failed to pay amounts due and owing to such other creditors not currently within the knowledge of the Petitioner.
7. Accordingly, Trilogy’s debts to Concrete, CRA and other the Sub-Contractors totals approximately \$11.9 million.

9. Deloitte Restructuring Inc., is qualified to act as Trustee of the property of the said debtor, and has agreed to act as such and is acceptable to the Petitioner.

DATED at the City of Vancouver, in the Province of British Columbia, this 5 day of February, 2025.



Solicitor for the Petitioner

Issued at the City of Vancouver, in the Province of British Columbia, this 6th day of February, 2025.

original signed by

B. JESSACHER

Deputy District Registrar 

Registrar in Bankruptcy

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Barristers and Solicitors
1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
V6C 3L2
Phone: (604) 685-3456
Attention: Bryan C. Gibbons//Noor Mann