

SCHEDULE "A"

File No. CI 23-01-41060

**THE KING'S BENCH  
Winnipeg Centre**

IN THE MATTER OF:

THE APPOINTMENT OF A RECEIVER PURSUANT TO SECTION 243 OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, c. B-3, AS AMENDED AND SECTION 55 OF THE KING'S BENCH ACT, C.C.S.M. c. C280

BETWEEN:

**BANK OF MONTREAL,**

Applicant,

- and -

**3816410 MANITOBA LTD. O/A BERG'S TRAILERS & PREP AND PAINT,**

Respondent.

**CERTIFIED A TRUE COPY**

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**RECEIVER'S CERTIFICATE**

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**FILED  
KING'S BENCH  
OCT 06 2023  
LAW COURTS  
WINNIPEG**

**PITBLADO LLP**  
Barristers and Solicitors  
2500, 360 Main Street  
Winnipeg, MB R3C 4H6

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(File No. 25810/7)

**SCHEDULE "A"**  
**FORM OF RECEIVER'S CERTIFICATE**

**THE KING'S BENCH**  
**Winnipeg Centre**

IN THE MATTER OF:

THE APPOINTMENT OF A RECEIVER PURSUANT TO SECTION 243 OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED AND SECTION 55 OF THE KING'S BENCH ACT, C.C.S.M. c. C280

BETWEEN:

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- and -

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**CERTIFIED A TRUE COPY**

Respondent.

**RECEIVER'S CERTIFICATE**

RECITALS:

- A. Pursuant to the Order of the Honourable Mr. Justice Edmond of the Manitoba Court of King's Bench (the "**Court**") dated May 25, 2023, Deloitte Restructuring, Inc. was appointed as the receiver (the "**Receiver**") of the undertaking, property and assets of 3816410 Manitoba Ltd. o/a Berg's Trailers & Prep and Paint (the "**Debtor**").
- B. Pursuant to an Order of the Court dated October 3, 2023, the Court approved the Agreement of Purchase and Sale made as of September 26, 2023 (the "**Sale Agreement**") between the Receiver and Rite-Way Rentals and Radiators Ltd. (the "**Purchaser**") as described in the First Report of the Receiver dated September 26, 2023 and provided for the vesting in the Purchaser of the Debtor's right, title and interest in and

to the Purchased Assets, which vesting is to be effective with respect to the Purchased Assets upon the delivery by the Receiver to the Purchaser of a certificate confirming:

- i. the payment by the Purchaser of the Purchase Price for the Purchased Assets;
- ii. that the conditions to Closing as set out in the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser; and
- iii. the Transaction has been completed to the satisfaction of the Receiver.

C. Unless otherwise indicated herein, terms with initial capitals have the meanings set out in the Sale Agreement.

THE RECEIVER CERTIFIES the following:

- 1. The Purchaser has paid and the Receiver has received the Purchase Price for the Purchased Assets payable on the Closing Date pursuant to the Sale Agreement;
- 2. The conditions to Closing as set out in the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser; and
- 3. The Transaction has been completed to the satisfaction of the Receiver.
- 4. This Certificate was delivered by the Receiver at the City of Winnipeg, in Manitoba, on the 6th day of October, 2023.

I hereby certify that the within instrument is a true and correct copy of the instrument of which it purports to be a copy.

Given under my hand and seal of office this 11 day of October, 2023

*[Signature]*  
 DEPUTY REGISTRAR  
 COURT OF KING'S BENCH, WINNIPEG CENTRE

DELOITTE RESTRUCTURING, INC. in its capacity as Receiver, and not in its personal capacity

Per: *[Signature]* CPA, CA, CRRP, LIT  
Brent Warga, Senior Vice-President