

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF EASTERN MEAT SOLUTIONS INC., SIERRA CUSTOM FOODS INC.,
SIERRA SUPPLY CHAIN SERVICES INC., SIERRA REALTY CORPORATION,
RVB HOLDINGS INC., VANDEN BROEK HOLDINGS (2008) INC., SIERRA
REALTY CALGARY CORPORATION AND EASTERN MEAT SOLUTIONS
(USA) CORP.**

Applicants

**RESPONDING MOTION RECORD
(Motion for an Injunction,
Returnable March 25, 2025, at 10:00 a.m.)
(VOLUME 2 OF 2)**

February 20, 2025

Paliare Roland Rosenberg Rothstein LLP
155 Wellington Street West, 35th Floor
Toronto, ON M5V 3H1

Jeffrey Larry (LSO# 44608D)
Tel.: 416.646.4330
E: jeff.larry@paliareroland.com

Douglas Montgomery (LSO# 78082M)
Tel: 416.646.6313
Email: douglas.montgomery@paliareroland.com

**Lawyers for Sierra Winds Business Park Inc.
and Woolsey Equities Inc.**

TO: Service List

Court File No. CV-24-00720622-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
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Court File No. CV-24-00720622-00CL

**ONTARIO
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REALTY CALGARY CORPORATION AND EASTERN MEAT SOLUTIONS
(USA) CORP.**

Applicants

AFFIDAVIT OF CHRISTOPHER DROBOT

I, **Christopher Drobot**, of the City of Edmonton, in the Province of Alberta, **SOLEMNLY AFFIRM AS FOLLOWS:**

1. I am the Director, Capital Solutions, of York Realty Inc. As such, I have personal knowledge of the matters set out below. Where I do not have personal knowledge, I state the source of my information and I believe such information to be true.
2. I have reviewed the affidavit of Matthew Woolsey, sworn February 20, 2025 (the "Woolsey Affidavit"). The purpose of this affidavit is to supplement and explain the attempts I made, on behalf of Woolsey Equities Inc. ("WEI") to draw on the letter of credit issued by BMO on November 20, 2023, in WEI's favour (the "Letter of Credit"). Any defined term in this affidavit has the same definition as in the Woolsey Affidavit.
3. WEI received a Notice of Non-Renewal from BMO regarding the Letter of Credit on or about October 18, 2024. A copy of the Notice of Non-Renewal, which is dated October 9, 2024, is attached as **Exhibit A**.

4. After an internal discussion, and following discussions with legal counsel, it was decided that I would lead efforts to make the draw on the Letter of Credit. The rationale for WEI's decision to make a draw request is set out in the Woolsey Affidavit. That rationale accords with my recollection of the conversations we had at the time.

5. I reached out to one of our regular contacts at BMO on October 28, 2024, asking to be put in touch with Niriksh Shetty regarding the Letter of Credit. Niriksh Shetty's name appeared on the Notice of Non-Renewal, but it had not included any contact information for them. Our regular contact, Sunny Cheema, provided Niriksh Shetty's contact information.

6. I spoke with Niriksh Shetty on or about October 28, 2024. I asked them about the Letter of Credit since WEI had not previously received a copy of the Letter of Credit. I also asked them about the process for drawing on the Letter of Credit.

7. I do not have any notes from this call, but based on my recollection, Shetty told me that they would confirm the status of the Letter of Credit and get back to me.

8. Shetty replied on the same day to confirm that the Letter of Credit had, in fact, been sent to Sierra Realty.

9. I responded on October 31, 2024, explaining that Sierra Realty had not provided WEI with the Letter of Credit (despite their obligation), and indicated that WEI intended to make a draw. I also inquired whether the original notice of non-renewal would suffice for the purposes of a draw in the absence of the original Letter of Credit.

10. Koye Sanni replied to me on November 1, 2024, to confirm that the “original LC is submitted for any drawing”.

11. I replied to Koye Sanni on the same day to confirm that WEI did not have possession of a copy of the Letter of Credit, and asked again whether the notice of non-renewal would suffice for the purposes of a draw. Koye Sanni advised me the same day that that the “original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC”.

12. On November 1, 2024, I replied pointing out (again) that WEI was never provided with the original (in contravention of the Agreement), and requesting if one could be issued. Having not received a response, I followed up again on November 6, 2024. My e-mails with BMO dated October 28 to November 6, 2024, are attached as **Exhibit B**.

13. Given the lack of clarity from BMO by this point, on November 6, 2024, I reached out to WEI’s regular banking contacts at BMO, Jared Henry and Sunny Cheema, to ask if there was a director that WEI could work with regarding the Letter of Credit. Jared Henry advised that Normand Girard was the Director responsible. My e-mails with Jared Henry dated November 6, 2024, are attached as **Exhibit C**.

14. Matthew Woolsey reached out to Normand Girard, and I understand that Matthew Woolsey was subsequently put in touch with Alain Bagirakandi.

15. On November 13, 2024, I attempted to fax the initial draw request, along with a corporate summary explaining that Sierra Winds Business Park was now WEI. However, the fax number was not working, so I e-mailed BMO regarding the issue with the fax and

attached the draw request. My e-mail to Koye Sanni (with attachments), dated November 13, 2024, is attached as **Exhibit D**.

16. Still not having received an answer to my email, I called Koye Sanni on the morning of November 13, 2024. I further repeated the information already shared in my previous emails. He asked about WEI's amalgamation registration given that Sierra Winds was the beneficiary on the Letter of Credit. On November 13, 2024, I replied to Koye Sanni with the amalgamation registration, which is attached as **Exhibit E**.

17. Koye Sanni provided a different fax number to try. I tried faxing the draw request to that number, but the fax number did not ring at all. Accordingly, I faxed the draw request to the number that appeared on the draft Letter of Credit letterhead. I e-mailed Koye Sanni to advise him of this, and attached the draw request and the fax confirmation, which is attached as **Exhibit F**.

18. The same day, a couple of hours after I had faxed the draw request, BMO requested the amalgamation registration statement and requested that I provide the Certificate of Amalgamation or the Articles of Amalgamation. BMO also advised that it also still had not received the fax. In response:

- (a) I e-mailed the Certificate of Amalgamation and Articles of Amalgamation, which are attached as **Exhibit G**.
- (b) I also faxed the draw request to the additional fax number, and provided BMO with confirmation, which is attached as **Exhibit H**.

19. On November 14, 2024, I followed up with BMO to confirm that the draw request had been received. I was advised by BMO that it had not. That prompted a number of exchanges between me and BMO representatives about the proper fax number. There were three different fax numbers that we had been provided, one of which was seemingly not valid. After further e-mails, I re-faxed the draw request to the two numbers that did appear to work. My e-mails with BMO on November 14, 2024 (and the attachment on the final e-mail) is attached as **Exhibit I**.

20. For certainty, I also made sure that WEI's fax machine was working. I confirmed this with BMO on November 14, 2024, which is attached as **Exhibit J**.

21. That same day, Alain Bagirakandi from BMO advised me by e-mail that BMO was investigating their fax issues and that BMO would revert to me as soon as possible. The next day, not having heard anything, I asked for an update as well as confirmation that the draw request had been received. My e-mails of November 14-15, 2024, are attached as **Exhibit K**.

22. On November 15, 2024, BMO provided discrepancy advice through the BMO secure messaging system. One of the grounds that BMO did not pay was because a "copy of the Letter of Credit not presented". BMO's email with discrepancy advice dated November 15, 2024, is attached as **Exhibit L**.

23. On the same day, I replied to BMO by with a revised draw request. My revised draw request dated November 15, 2024, is attached as **Exhibit M**.

24. BMO replied on November 18, 2024, to provide further discrepancy advice. Once again, one ground of discrepancy was because a “copy of the letter of credit not presented”. BMO’s reply with discrepancy advice is attached as **Exhibit N**.

25. On November 18, 2024, I replied to BMO and noted that “as I have shared all along, we were not provided with the original of the LC. I have included here the draft version of the LC that we were provided along with the applicant’s email confirmation of having approved the LC for release”. I also included a copy of the original non-renewal notice we had received. My response of November 18, with attachments, is attached as **Exhibit O**.

26. In response, BMO requested that WEI present the claim via fax, which I did to the three separate fax lines that had provided by BMO. My e-mail confirming that I submitted the claim via the three fax numbers is attached as **Exhibit P**.

27. On November 19, 2024, BMO provided further discrepancy advice, confirming that the only deficiency was that a “copy of the Letter of Credit not presented”. BMO’s e-mail with its discrepancy advice dated November 19, 2024, is attached as **Exhibit Q**.

28. At this point, WEI escalated the situation to Matthew Woolsey’s attention. I had explained the situation to BMO several times, but they kept repeating the same thing.

29. First, Matthew Woolsey explained the basis for the draw, and provided BMO with a copy of the lease. Following that e-mail, I re-faxed the draw request with certain revised language requested by BMO. My e-mail dated November 19, 2024, with attachments, is attached as **Exhibit R**.

30. Matthew Woolsey requested a copy of the Letter of Credit on November 19, 2024, which BMO provided on the same day. A copy of the e-mail from BMO enclosing a copy of the letter of credit as attached as **Exhibit S**.

31. With a copy of the Letter of Credit, I was finally able to submit the draw request on November 19, 2024, with a copy of the Letter of Credit. My e-mail confirming I submitted the draw request, along with fax confirmations to all three of the fax numbers that BMO had provided us, is attached as **Exhibit T**.

32. I have reviewed my records for any notes from the conversations with BMO. I have no notes for any of these calls. Action items were immediately responded to via written communication and/or were summarized in those written communications.

33. From my recollection, the BMO representatives were generally unwilling to discuss anything by telephone, and asked that any requests or communications be made by e-mail.

34. I have carefully reviewed all of my correspondence with BMO. I do not believe that any of the statements that I made to BMO were untrue, misleading, deceitful or dishonest. I was transparent with BMO throughout my conversations that WEI did not have a copy of the Letter of Credit.

35. I understood from the Agreement between WEI and Sierra Realty that Sierra Realty was supposed to provide WEI with a copy of the Letter of Credit, but had failed to do so. That is precisely what I told BMO.

AFFIRMED remotely by Christopher Drobot at the City of Edmonton, in the Province of Alberta, before me at the City of Toronto, in the Province of Ontario, on this 20th day of February, 2025 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely



Commissioner for Taking Affidavits
Douglas Montgomery



Christopher Drobot

This is **Exhibit "A"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Montgomery". The first letter "M" is large and stylized, with a loop. The rest of the name is written in a cursive, flowing script.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6 Canada

October 09, 2024

Re: Our Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: EASTERN MEAT SOLUTIONS INC

Dear Customer,

*THIS IS A NON-RENEWAL NOTICE.

We wish to inform you that our abovementioned Letter of Credit will not be renewed by us for an additional one-year period; therefore, it will expire at our counters on November 19, 2024.

Should you consent, however, to the cancellation of this Letter of Credit prior to its present expiration date, please return the original Letter of Credit instrument together with any subsequent amendment(s) directly to us to your complete discharge.

Should you need to make a claim under our Letter of Credit please ensure that your claim is presented to us no later than November 19, 2024.

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION.

Unless otherwise instructed herein, all correspondence and enquiries regarding this transaction should be directed to our Customer Service Centre at the above address, telephone: 416-598-6112. Please indicate our reference number in all your correspondence or telephone enquiries.

Regards,

NIRIKSH SHETTY

Authorised Signature(s)

This is **Exhibit "B"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in dark ink, reading "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye
Cc: Perera, Srinath
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED BY THE
 AUTHORIZED INDIVIDUAL STATING:
 "THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FULFILLED THE
 THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY AND
 SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE 1/2 OF THE
 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED BY
 THEREFORE, WE ARE DRAWING FOR CAD....., UNDERSTANDING THAT THE
 WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR O
UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS 6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED. DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, your draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Thursday, October 31, 2024 4:35 PM

To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: October 28, 2024 4:09 PM

To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Cc: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Sent: October 28, 2024 4:05 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards

Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group

Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
Niriksh.Shetty@bmo.com
 Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com>
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
 Associate Director
 Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472
 525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: Attached Image

This is **Exhibit "C"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Montgomery". The first letter "M" is large and stylized, with a loop at the top. The rest of the name is written in a cursive, flowing script.

Commissioner for Taking Affidavits (or as may be)


DOUGLAS MONTGOMERY
(LSO #78082M)

From: Henry, Jared <jared1.henry@bmo.com>
Sent: Wednesday, November 6, 2024 11:10:10 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hey Christopher,

I don't know that side of the bank at all, but I looked up his organization charge and grabbed the contact info for their boss Normand.

←
×



Girard, Normand

Director • I&CB Technology

📧
👤
💬
📞

Overview
Contact
Organisation

Send a quick message ▶

✔

Available • Free until 12:00 pm

Work hours: 6:00 AM - 3:00 PM

🕒

1:08 PM - Your time zone is 2 hours behind

Contact information

<div style="display: flex; align-items: center; gap: 5px; margin-bottom: 10px;"> ✉ <div> <p>Email</p> <p>normand.girard@bmo.com</p> </div> </div> <div style="display: flex; align-items: center; gap: 5px; margin-bottom: 10px;"> 📠 <div> <p>Business fax</p> <p>416-598-6075</p> </div> </div> <div style="display: flex; align-items: center; gap: 5px;"> 🏢 <div> <p>Department</p> <p>I&CB Technology</p> </div> </div>	<div style="display: flex; align-items: center; gap: 5px; margin-bottom: 10px;"> 💬 <div> <p>Chat</p> <p>normand.girard@bmo.com</p> </div> </div> <div style="display: flex; align-items: center; gap: 5px; margin-bottom: 10px;"> 📍 <div> <p>Location</p> <p>YNG</p> </div> </div> <div style="display: flex; align-items: center; gap: 5px;"> 📍 <div> <p>Business address</p> <p>Toronto</p> </div> </div>	<div style="display: flex; align-items: center; gap: 5px; margin-bottom: 10px;"> 📞 <div> <p>Work phone</p> <p>416-598-6806</p> </div> </div> <div style="display: flex; align-items: center; gap: 5px; margin-bottom: 10px;"> 👤 <div> <p>Job title</p> <p>Director</p> </div> </div>
--	--	--

I hope he can help out, let me know how it goes.

Jared

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Wednesday, November 6, 2024 10:56 AM
To: Henry, Jared <jared1.henry@bmo.com>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: FW: BMT06972210S Attached Image

Hello Jared – anyone else we can talk to on this other than Koye/Niriksh? (maybe a director-level contact that Matt can reach out to directly?)

Short summary is the tenant on the Sierra lease had approved an L/C to be issued to us, but didn't provide it to us. We received the notice of non-renewal from BMO, but since we hadn't received the original we were unaware of its existence. We would like to call a draw upon it, given Sierra's failure to perform to the terms of their cost-sharing agreement. Any contact you feel may make sense for a discussion on the matter would be appreciated.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT06972210S Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT06972210S Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

 Best regards,

Koye Sanni
 Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
 Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario

MSB 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Friday, November 1, 2024 1:13 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT06972210S Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 9:36 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT06972210S Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETE AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS F THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA RE SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE L 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUP THEREFORE, WE ARE DRAWING FOR CAD....., UND WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR O UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS 6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHON US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMI DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMT069722110S Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: October 28, 2024 4:09 PM

To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Cc: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: RE: BMT069722110S Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Sent: October 28, 2024 4:05 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: BMT069722110S Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards

Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

Niriksh.Shetty@bmo.com

Tel: 416-947-8756

Please direct all New Standby & Guarantees application and amendment requests only to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com>
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
 Associate Director
 Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
 M 403-200-6472
 525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

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To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>

Sent: Friday, October 18, 2024 10:11:46 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: Attached Image

This is **Exhibit "D"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in dark ink, reading "Montgomery". The first letter "M" is large and stylized, with a loop. The rest of the name is written in a cursive, flowing script.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye'
Cc: 'Perera, Srinath'
Subject: RE: BMTO697221OS Attached Image
Attachments: Draw & Transfer request, and corporate summary.pdf

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

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Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

 Best regards,

Koye Sanni
 Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
koye.sanni@bmo.com
 Tel: 416-263-0142

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BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

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10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 9:36 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT06972210S Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETELY
AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FULFILLED
THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY
SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE L
1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPORTED
THEREFORE, WE ARE DRAWING FOR CAD....., AND
WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR CASH
UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS
6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED
EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE
US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT
DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING
ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED.
DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

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From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

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10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Sent: October 28, 2024 4:05 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: BMTO6972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards

Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

Niriksh.Shetty@bmo.com

Tel: 416-947-8756

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Niriksh, when would be a good time for a call?

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Subject: FW: Attached Image

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Thanks,

Sunny Cheema

Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com

M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

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To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

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Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

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From: canon@yorkrealty.ca <canon@yorkrealty.ca>
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: Attached Image



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc.

REQUEST FORM FOR FULL TRANSFER

Date: November 10, 2024

Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

For value received, the undersigned beneficiary hereby irrevocably transfers to:

Name of Transferee: Woolsey Equities Inc.

Address of Transferee: 1600 – 10303 Jasper Avenue NW, Edmonton, AB, T5J 3N6

Other Transferee Information: The transferee is the successor corporation to the Beneficiary, which was amalgamated to form the Transferee as of January 1, 2024, evidenced by the corporate search attached hereto.

All rights of the undersigned Beneficiary to draw under the above letter of credit up to its available amount as of the date of this transfer, as shown above.

By this transfer, all rights of the undersigned Beneficiary in such standby letter of credit are transferred to the transferee, and the transferee shall have the sole rights as Beneficiary thereof, including sole rights relating to any amendments now existing or hereafter made. All amendments are to be advised directly to the transferee without necessity of any consent or notice to the undersigned beneficiary.

The original of this standby letter of credit is returned herewith, together with any and all amendments, and we ask you to transfer the letter of credit and forward it directly to the transferee with your notice of transfer.

We certify that the transferee has acquired Beneficiary's rights and obligations in the underlying relationship.

Enclosed in our remittance of CAD335.00 being transfer fee of CAD300.00 plus CAD35.00 courier fee in payment of your transfer commission, and in addition thereto we agree to pay you on demand any expenses which may have been incurred by you in connection with this transfer.

Signature authentication: *Ryan Weiser, VP Accounting*

Beneficiary's name as per L/C: SIERRA WINDS BUSINESS PARK INC., now WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary: *[Signature]*

Signature Authenticated by:

(Bank or Notary authorized signature and title):

[Signature]
ADA TANG

Barrister & Solicitor



Bank of Montreal
 Global Trade Operations
 250 Yonge St., 11th Floor
 Toronto, ON, M5B 2L7
 Tel: 416 598-6112
 Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
 Applicant: Eastern Meat Solutions Inc.

Date: November 10, 2024

RE: Standby Letter of Credit Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

Woolsey Equities Inc., a subsidiary of York Realty Inc. and Beneficiary under this letter of credit facility pursuant to the attached request form for full transfer, hereby requests a draw under the above-referenced Letter of credit as follows:

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Leased Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Weise, VP Accounting*

Beneficiary's name as per L/C: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary: *[Signature]*

Signature Authenticated by: *[Signature]*

(Bank or Notary authorized signature and title):

ADA TANG
 Barrister & Solicitor

Government Corporation/Non-Profit Search
of Alberta ■ Corporate Registration System

Date of Search: 2024/10/28
Time of Search: 11:54 AM
Search provided by: WITTEN LLP
Service Request Number: 43213819
Customer Reference Number: 120001.346 JCC

Corporate Access Number: 2025745783
Business Number: 711333211
Legal Entity Name: WOOLSEY EQUITIES INC.

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Method of Registration: Amalgamation
Registration Date: 2024/01/01 YYYY/MM/DD

Registered Office:
Street: 2500-10303 JASPER AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J3N6

Records Address:
Street: 2500-10303 JASPER AVE NW
City: EDMONTON
Province: ALBERTA
Postal Code: T5J3N6

Email Address: ANNUALRETURNS@WITTENLAW.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
CALVERT	JONATHAN	C.	WITTEN LLP	2500-10303 JASPER AVE NW	EDMONTON	ALBERTA	T5J3N6	ANNUALRETURNS@WITTENLAW.COM

Directors:

Last Name: WOOLSEY
First Name: GLENN
Street/Box Number: 1600, 10303 JASPER AVENUE
City: EDMONTON
Province: ALBERTA
Postal Code: T5J3N6

Last Name: WOOLSEY
First Name: MATTHEW

10/28/24, 11:54 AM

about:blank

Street/Box Number: 1600, 10303 JASPER AVENUE
City: EDMONTON
Province: ALBERTA
Postal Code: T5J3N6

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE SCHEDULE "C" ATTACHED
Share Transfers Restrictions: SEE SCHEDULE "A" ATTACHED
Min Number Of Directors: 1
Max Number Of Directors: 7
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: SEE SCHEDULE "B" ATTACHED

Holding Shares In:

Legal Entity Name
OVERDRIVE INVESTMENTS INC.

Other Information:**Amalgamation Predecessors:**

Corporate Access Number	Legal Entity Name
2019465307	1946530 ALBERTA LTD.
2020302218	2030221 ALBERTA LTD.
2020857971	2085797 ALBERTA LTD.
2021687641	2168764 ALBERTA LTD.
2023176940	PIONEER SKIES BUSINESS PARK INC.
2021851916	REDYOR INVESTMENTS INC.
2024944577	SIERRA WINDS BUSINESS PARK INC.
2025679065	WOOLSEY EQUITIES INC.

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2024/01/01	Amalgamate Alberta Corporation
2024/05/06	Update Business Number Legal Entity

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2024/01/01
Restrictions on Share Transfers	ELECTRONIC	2024/01/01

Other Rules or Provisions	ELECTRONIC	2024/01/01
Statutory Declaration	10000807129516462	2024/01/01

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.



This is **Exhibit "E"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 13, 2024 10:33 AM
To: 'Sanni, Koye'
Cc: 'Perera, Srinath'
Subject: RE: BMTO697221OS Attached Image
Attachments: Registration Statement.pdf

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com>
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 1, 2024 2:32 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 11:24 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
koye.sanni@bmo.com
 Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETELY AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FULFILLED THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE OF LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPERSEDED THEREFORE, WE ARE DRAWING FOR CAD....., AND WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR CASH OR UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS MUST BE 6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE WITH US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED. DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, your draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMT069722110S Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: October 28, 2024 4:09 PM

To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Cc: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com>

Sent: October 28, 2024 4:05 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards

Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
Niriksh.Shetty@bmo.com
Tel: 416-947-8756

Please direct all New Standby & Guarantees application and amendment requests only to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com>
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472
525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>

Sent: Friday, October 18, 2024 10:11:46 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: Attached Image

Amalgamate Alberta Corporation - Registration Statement

Alberta Registration Date: 2024/01/01

Corporate Access Number: 2025745783

Business Number:

Service Request Number: 41165335
Alberta Corporation Type: Named Alberta Corporation
Legal Entity Name: WOOLSEY EQUITIES INC.
Business Number:
French Equivalent Name:
Nuans Number:
Nuans Date:
French Nuans Number:
French Nuans Date:

REGISTERED ADDRESS

Street: 2500-10303 JASPER AVE NW
Legal Description:
City: EDMONTON
Province: ALBERTA
Postal Code: T5J3N6

RECORDS ADDRESS

Street: 2500-10303 JASPER AVE NW
Legal Description:
City: EDMONTON
Province: ALBERTA
Postal Code: T5J3N6

ADDRESS FOR SERVICE BY MAIL

Post Office Box:
City:
Province:
Postal Code:
Email Address: ANNUALRETURNS@WITTENLAW.COM
Share Structure: SEE SCHEDULE "C" ATTACHED
Share Transfers Restrictions: SEE SCHEDULE "A" ATTACHED
Number of Directors:
Min Number Of Directors: 1
Max Number Of Directors: 7
Business Restricted To: NONE
Business Restricted From: NONE
Other Provisions: SEE SCHEDULE "B" ATTACHED

Professional Endorsement Provided:**Future Dating Required:****Registration Date:** 2024/01/01

Agent for Service**Agent for Service Type:** Primary**Last Name:** CALVERT**First Name:** JONATHAN**Middle Name:** C.**Firm Name:** WITTEN LLP**Street:** 2500-10303 JASPER AVE NW**City:** EDMONTON**Province:** ALBERTA**Postal Code:** T5J3N6**Email Address:** ANNUALRETURNS@WITTENLAW.COM

Director**Last Name:** WOOLSEY**First Name:** MATTHEW**Middle Name:****Street/Box Number:** 1600, 10303 JASPER AVENUE**City:** EDMONTON**Province:** ALBERTA**Postal Code:** T5J3N6**Country:****Named On Stat Dec:****Last Name:** WOOLSEY**First Name:** GLENN**Middle Name:****Street/Box Number:** 1600, 10303 JASPER AVENUE**City:** EDMONTON**Province:** ALBERTA**Postal Code:** T5J3N6**Country:****Named On Stat Dec:** Y

Amalgamating Corporation

Corporate Access Number	Business Number	Legal Entity Name
2019465307		1946530 ALBERTA LTD.
2020302218		2030221 ALBERTA LTD.
2020857971	778677088	2085797 ALBERTA LTD.
2021687641		2168764 ALBERTA LTD.
2021851916		REDYOR INVESTMENTS INC.
2023176940	787010149	PIONEER SKIES BUSINESS PARK INC.
2024944577	771332814	SIERRA WINDS BUSINESS PARK INC.
2025679065	711333211	WOOLSEY EQUITIES INC.

Attachment

Attachment Type	Microfilm Bar Code	Date Recorded
Other Rules or Provisions	ELECTRONIC	2024/01/01
Statutory Declaration	10000807129516462	2024/01/01
Restrictions on Share Transfers	ELECTRONIC	2024/01/01
Share Structure	ELECTRONIC	2024/01/01

Registration Authorized By: JONATHAN C. CALVERT
SOLICITOR

The Registrar of Corporations certifies that the information contained in this statement is an accurate reproduction of the data contained in the specified service request in the official public records of Corporate Registry.

This is **Exhibit "F"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Montgomery". The signature is written in a cursive style with a large, stylized "M" at the beginning.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 13, 2024 12:07 PM
To: Sanni, Koye
Cc: Perera, Srinath
Subject: RE: BMTO697221OS Attached Image
Attachments: LC Draw Executed & Notarized (Woolsey Equities Inc).pdf; Fax confirmation.pdf

Hello Koye,

The number you provided does not ring at all.

Below is the fax number which was provided on the LC letterhead, which is the number to which I have faxed it just now. Fax confirmation, to that number, is attached.

**Bank of Montreal**

250 Yonge St., 11th Floor
 Toronto, ON M5B 2L7
 Tel: 416 598-6112
 Fax: 416 598-6076
 SWIFT: BOFMCAT2

I've also attached an email version of the notarized request on Woolsey Equities Inc letterhead.

Please let me know if there's anything else required, and please confirm receipt of the fax

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 13, 2024 10:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hi Christopher,

Here is an alternate fax number:

f: 416 598 6075

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
koye.sanni@bmo.com
 Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Wednesday, November 13, 2024 12:16 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 6, 2024 10:53 AM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 1, 2024 2:32 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 11:24 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor

Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETELY AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FULFILLED THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE OF LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPORTING THEREFORE, WE ARE DRAWING FOR CAD....., AND WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR CASH DRAWINGS UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS MUST BE 6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE WITH US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A DRAWING DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED. DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, your draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMT069722110S Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

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 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

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From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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Sent: October 28, 2024 4:05 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
 Niriksh Shetty
 Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
 Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
Niriksh.Shetty@bmo.com
 Tel: 416-947-8756

Please direct all New Standby & Guarantees application and amendment requests only to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

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P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
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Edmonton, Alberta T5J 3N6

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Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472
525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

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Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>

Sent: Friday, October 18, 2024 10:11:46 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: Attached Image



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc.

Date: November 10, 2024

RE: Standby Letter of Credit Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

Woolsey Equities Inc., a subsidiary of York Realty Inc. and Beneficiary under this letter of credit facility pursuant to the attached request form for full transfer, hereby requests a draw under the above-referenced Letter of credit as follows:

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Leased Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Veix, VP Accounting*

Beneficiary's name as per L/C: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

Signature Authenticated by:

(Bank or Notary authorized signature and title):

Ada Tang
ADA TANG
Barrister & Solicitor

424

*** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	0621
DESTINATION ADDRESS	14165986076
SUBADDRESS	
DESTINATION ID	
ST. TIME	11/13 12:00
TX/RX TIME	00' 28
PGS.	1
RESULT	OK



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc.

Date: November 10, 2024

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Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Veise, VP Accounting*

Beneficiary's name as per L/C: WOOLSEY EQUITIES INC.

This is **Exhibit "G"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 13, 2024 2:46 PM
To: Perera, Srinath
Cc: Sanni, Koye; Bagirakandi, Alain
Subject: RE: BMT0697221OS Attached Image
Attachments: Certificate of Amalgamation.pdf; Articles of Amalgamation -1.pdf

You bet, see attached for both.

I will refax to the number below

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees
 BMO Financial Group | Global Trade Operations
 416 598 6095 | (f) 416 598 6075
srinath.perera@bmo.com

Please direct all ***New Standby & Guarantees application and amendment requests only*** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com>
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 1, 2024 2:32 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 11:24 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

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Service Specialist, Standby Letters of Credit & Guarantees

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 M5B 2L7
Niriksh.Shetty@bmo.com
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To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: Attached Image



Articles of Amalgamation for an Alberta Corporation

Public (when completed)

Business Corporations Act
Sections 181 and 187

This information is collected, used, and may be publicly disclosed in accordance with s. 33(a,c), 39 (1)(a,c), and 40(1)(c,e,f) of the *Freedom of Information and Protection of Privacy Act*; the *Business Corporations Act*; and the *Common Business Number Act*. It is required for the purpose of issuing a certificate of amalgamation and assigning a Canada Revenue Agency business number to the amalgamated corporation. Questions can be directed to the Service Alberta Contact Centre at cr@gov.ab.ca or 780-427-7013 (toll-free 310-0000 within Alberta).

1. Name of Amalgamated Corporation

Woolsey Equities Inc.

2. The classes of shares, and any maximum number of shares that the corporation is authorized to issue:

See Schedule "C" attached.

3. Restrictions on share transfers (if any):

See Schedule "A" attached.

4. Number, or minimum and maximum number, of directors that the corporation may have:

Minimum 1. Maximum 7.

5. If the corporation is restricted FROM carrying on a certain business, or restricted TO carrying on a certain business, specify the restriction(s):

None.

6. Other rules or provisions (if any):

See Schedule "B" attached.

7. Amalgamating Corporations

Name	Corporate Access Number	Business Number
Woolsey Equities Inc.	2025679065	711333211
Name	Corporate Access Number	Business Number
1946530 Alberta Ltd.	2019465307	741603096
Name	Corporate Access Number	Business Number
2085797 Alberta Ltd.	2020857971	778677088
Name	Corporate Access Number	Business Number
2168764 Alberta Ltd.	2021687641	712528512


Name	Corporate Access Number	Business Number
2030221 Alberta Ltd.	2020302218	724447495
Name	Corporate Access Number	Business Number
Pioneer Skies Business Park Inc.	2023176940	787010149
Name	Corporate Access Number	Business Number
Sierra Winds Business Park Inc.	2024944577	771332814
Name	Corporate Access Number	Business Number
Redyor Investments Inc.	2021851916	714922473

435

8. Authorized Representative/Authorized Signing Authority for the Corporation

Woolsey	Matthew	
Last Name	First Name	Middle Name (optional)
Director		
Relationship to Corporation	Telephone Number (optional)	Email Address
2024-01-01		
Date of Submission yyyy-mm-dd		

DocuSigned by:



FD64F6796CA44CB

Signature



CORPORATE ACCESS NUMBER: 2025745783

**Government
of Alberta ■**

BUSINESS CORPORATIONS ACT

**CERTIFICATE
OF
AMALGAMATION**

WOOLSEY EQUITIES INC.
IS THE RESULT OF AN AMALGAMATION FILED ON 2024/01/01.



This is **Exhibit "H"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath
Cc: Sanni, Koye; Bagirakandi, Alain
Subject: RE: BMT0697221OS Attached Image
Attachments: Fax confirmation (2).pdf

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all ***New Standby & Guarantees application and amendment requests only*** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com>
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 1, 2024 2:32 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 11:24 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETE AND AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FULFILLED THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE 11 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPORTING THEREFORE, WE ARE DRAWING FOR CAD....., AND WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OBTAINING UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS MUST BE 6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE WITH US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT THE ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED. DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, your draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMT069722110S Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
 Niriksh Shetty
 Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
 Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
Niriksh.Shetty@bmo.com
 Tel: 416-947-8756

Please direct all New Standby & Guarantees application and amendment requests only to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com>
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
 Associate Director
 Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
 M 403-200-6472
 525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>

Sent: Friday, October 18, 2024 10:11:46 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: Attached Image

446

*** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	0626
DESTINATION ADDRESS	14165986071
SUBADDRESS	
DESTINATION ID	
ST. TIME	11/13 14:45
TX/RX TIME	00' 41
PGS.	1
RESULT	OK



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc.

Date: November 10, 2024

RE: Standby Letter of Credit Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

Woolsey Equities Inc., a subsidiary of York Realty Inc. and Beneficiary under this letter of credit facility pursuant to the attached request form for full transfer, hereby requests a draw under the above-referenced Letter of credit as follows:

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Leased Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 - 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Veise, VP Accounting*

Beneficiary's name as per L/C: WOOLSEY EQUITIES INC.

This is **Exhibit "I"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 14, 2024 1:30 PM
To: Perera, Srinath
Cc: Sanni, Koye; Bagirakandi, Alain
Subject: RE: BMT0697221OS Attached Image
Attachments: LC Draw Executed & Notarized (Woolsey Equities Inc).pdf

Hello Srinath

When dialled, 416-598-6075 responds with "The number you have dialled can not be reached", or simply does not connect. This is not a valid number.

The number in the Letter of Credit is 416-598-6076. I have now also sent it again to this number, as well as have sent it again to the 416-598-6071 number.

Are you not able to receive this via email, as has been delivered (and is attached again for ease of reference)? We have submitted, and can show successful confirmation of submission, via fax to the number listed in the letter of credit itself.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all ***New Standby & Guarantees application and amendment requests only*** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

11/13/2024 WED 14:46

FAX

 *** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	0626
DESTINATION ADDRESS	14165986071
SUBADDRESS	
DESTINATION ID	
ST. TIME	11/13 14:45
TX/RX TIME	00' 41
PGS.	1
RESULT	OK



Bank of Montreal
 Global Trade Operations
 250 Yonge St., 11th Floor
 Toronto, ON, M5B 2L7
 Tel: 416 598-6112
 Fax: 416 598-6076

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 14, 2024 12:47 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees
 BMO Financial Group | Global Trade Operations
 416 598 6095 | (f) 416 598 6075
srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 2:38 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT06972210S Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT06972210S Attached Image

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Thanks,

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 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT06972210S Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

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From: Christopher Drobot <crm

Sent: Wednesday, November 13, 2024 12:33 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

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Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 6, 2024 10:53 AM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 1, 2024 2:32 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

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Subject: RE: BMTO697221OS Attached Image

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Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

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Edmonton, Alberta T5J 3N6

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To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

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Hi Christopher,

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Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

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Subject: RE: BMTO697221OS Attached Image

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I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT06972210S Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED BY AN AUTHORIZED INDIVIDUAL STATING:
 "THE TENANT SIERRA REALTY CALGARY CORPORATION HAS ENTERED INTO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE OF LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED AND THEREFORE, WE ARE DRAWING FOR CAD....., UNDERSTANDING WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR CASH PAYMENTS UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS MUST BE PRESENTED WITHIN 6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE WITH US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING. ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED. IF DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE PRESENTED.

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, your draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

 Best regards,

Koye Sanni
 Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
koye.sanni@bmo.com
 Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
 Niriksh Shetty
 Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
 Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
Niriksh.Shetty@bmo.com
 Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests* only to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

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Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
 Associate Director
 Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
 M 403-200-6472

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: Attached Image



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc.

Date: November 10, 2024

RE: Standby Letter of Credit Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

Woolsey Equities Inc., a subsidiary of York Realty Inc. and Beneficiary under this letter of credit facility pursuant to the attached request form for full transfer, hereby requests a draw under the above-referenced Letter of credit as follows:

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Leased Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Veix, VP Accounting*

Beneficiary's name as per L/C: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

Signature Authenticated by:

(Bank or Notary authorized signature and title):

ADA TANG
ADA TANG
Barrister & Solicitor

This is **Exhibit "J"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath
Cc: Sanni, Koye; Bagirakandi, Alain
Subject: RE: BMT0697221OS Attached Image
Attachments: New Fax Message from (780) 426-7783 on 14/11/2024 1:31 p.m.

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all ***New Standby & Guarantees application and amendment requests only*** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT06972210S Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

11/13/2024 WED 14:46

FAX

 *** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	0626
DESTINATION ADDRESS	14165986071
SUBADDRESS	
DESTINATION ID	
ST. TIME	11/13 14:45
TX/RX TIME	00' 41
PGS.	1
RESULT	OK



Bank of Montreal
 Global Trade Operations
 250 Yonge St., 11th Floor
 Toronto, ON, M5B 2L7
 Tel: 416 598-6112
 Fax: 416 598-6076

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>

Sent: November 14, 2024 12:47 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Thursday, November 14, 2024 2:38 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees
BMO Financial Group | Global Trade Operations
416 598 6095 | (f) 416 598 6075
srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com>
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 6, 2024 10:53 AM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 1, 2024 2:32 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 11:24 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT06972210S Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETELY
 AUTHORIZED INDIVIDUAL STATING:
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 DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING
 ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMI
 DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, your draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

 Best regards,

Koye Sanni
 Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
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M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

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10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
 Niriksh Shetty
 Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
 Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
Niriksh.Shetty@bmo.com
 Tel: 416-947-8756

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PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

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Subject: RE: Attached Image

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Niriksh, when would be a good time for a call?

Thanks,

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P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
 Associate Director
 Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472
 525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

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Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: Attached Image

Christopher Drobot

From: RingCentral <notify@ringcentral.com>
Sent: November 14, 2024 1:31 PM
To: Christopher Drobot
Subject: New Fax Message from (780) 426-7783 on 14/11/2024 1:31 p.m.
Attachments: +17804267783-1114-133116-392.pdf

Fax Message

Dear Christopher Drobot,

You have a new fax message:

From: (780) 426-7783
Received: November 14, 2024 at 1:31 p.m.
Pages: 1
To: (780) 699-3694 (Christopher Drobot)

To view this message, open the attachment or use [RingCentral app](#) to have instant access to all your messages on the go.

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Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc.

Date: November 10, 2024

RE: Standby Letter of Credit Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

Woolsey Equities Inc., a subsidiary of York Realty Inc. and Beneficiary under this letter of credit facility pursuant to the attached request form for full transfer, hereby requests a draw under the above-referenced Letter of credit as follows:

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Leased Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Veise, VP Accounting*

Beneficiary's name as per L/C: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

Signature Authenticated by:

(Bank or Notary authorized signature and title):

ADA TANG
ADA TANG
Barrister & Solicitor

This is **Exhibit "K"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Montgomery". The first letter "M" is large and stylized, with a loop. The rest of the name is written in a cursive, flowing script.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

Christopher Drobot

From: Christopher Drobot
Sent: November 15, 2024 10:21 AM
To: Bagirakandi, Alain; Perera, Srinath
Cc: Sanni, Koye; Matt Woolsey; normand.girard@bmo.com
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS
 Team Lead, Standby Letters of Credit and Guarantees
 Bank of Montreal and BMO Bank N.A.
 Global Trade Operations
 250 Yonge St., 11th Floor, Toronto ON, M5B 2L7
 Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Thursday, November 14, 2024 5:25 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMTO697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 14, 2024 1:40 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT06972210S Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071
That why want to refax to 416 598 6075
Thanks

Regards
Srinath Perera | Service Specialist-Standby&Gtees
BMO Financial Group | Global Trade Operations
416 598 6095 | (f) 416 598 6075
srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT06972210S Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

11/13/2024 WED 14:46

FAX

 *** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	0626
DESTINATION ADDRESS	14165986071
SUBADDRESS	
DESTINATION ID	
ST. TIME	11/13 14:45
TX/RX TIME	00' 41
PGS.	1
RESULT	OK



Bank of Montreal
 Global Trade Operations
 250 Yonge St., 11th Floor
 Toronto, ON, M5B 2L7
 Tel: 416 598-6112
 Fax: 416 598-6076

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>

Sent: November 14, 2024 12:47 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT06972210S Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Thursday, November 14, 2024 2:38 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT06972210S Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 13, 2024 2:53 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>

Sent: November 13, 2024 2:38 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com>
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 1, 2024 2:32 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 11:24 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Friday, November 1, 2024 1:13 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com>

Sent: November 1, 2024 9:36 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com. [Learn why this is important](#)

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETE AND AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FULFILLED THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE OF LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPORTING THEREFORE, WE ARE DRAWING FOR CAD....., AND THE WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR CASH OR UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS MUST BE 6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE WITH US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING OR ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED. DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, your draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests* only to
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMT069722110S Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMTO6972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: BMTO6972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
 Niriksh Shetty
 Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
 Global Trade Operations
 250 Yonge Street, 11th Floor
 Toronto, Ontario
 M5B 2L7
Niriksh.Shetty@bmo.com
 Tel: 416-947-8756

Please direct all New Standby & Guarantees application and amendment requests only to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE.

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
 10303 Jasper Avenue, Suite 1600
 Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com>
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
 Associate Director
 Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
 M 403-200-6472
 525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>

Sent: Friday, October 18, 2024 10:11:46 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: Attached Image

This is **Exhibit "L"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Montgomery". The first letter "M" is large and stylized, with a loop. The rest of the name is written in a cursive, flowing script.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)

**RE: BMT0697221OS Attached Image [PROTECT]****christopher@yorkrealty.ca**

Received: Nov 15, 2024 3:21 PM
Expires: Feb 13, 2025 3:21 PM
From: koye.sanni@bmo.com
To: christopher@yorkrealty.ca
Cc: normand.girard@bmo.com, matt@yorkrealty.ca, alain.bagirakandi@bmo.com, srinath.perera@bmo.com
Subject: RE: BMT0697221OS Attached Image [PROTECT]

Attachments: BMT0697221OS_DISCREPANCY_ADVICE.pdf

This message was sent securely using Zix[®]

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group**Global Trade Operations****250 Yonge Street, 11th Floor****Toronto, Ontario****M5B 2L7****koye.sanni@bmo.com****Tel: 416-263-0142**Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all **New Standby & Guarantees application and amendment requests only** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

*** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	0626
DESTINATION ADDRESS	14165986071
SUBADDRESS	
DESTINATION ID	
ST. TIME	11/13 14:45
TX/RX TIME	00' 41
PAGE	1
RESULT	OK



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 12:47 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT06972210S Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:38 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards
Srinath Perera | Service Specialist-Standby&Gtees
BMO Financial Group | Global Trade Operations
416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all **New Standby & Guarantees application and amendment requests only** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, **and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?**

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Sanni, Koye <Koye.Sanni@bmo.com>
Sent: November 1, 2024 9:36 AM

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:
"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"
2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: BMTO6972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: RE: BMTO6972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: BMTO6972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

Niriksh.Shetty@bmo.com

Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com>; Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified*®

From: Cheema, Sunny <sunny1.cheema@bmo.com>
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

500

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Subject: Attached Image

This message was secured by **Zix** ® .



Bank of Montreal

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6 Canada

November 15, 2024

Re: Our Reference Standby Letter of Credit No.: BMT0697221OS Claim Number 2

Standby Letter of Credit Number BMT0697221OS 'issued by' Bank of Montreal
Claim Amount: CAD 1,495,000.00
Claim Date: November 14, 2024
Applicant: EASTERN MEAT SOLUTIONS INC

We advise that the claim to Pay Only relating to the above mentioned transaction has been rejected due to the following reason(s):

Full name of Applicant to read:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF
SIERRA REALTY CALGARY CORPORATION

We advise that the claim to Pay Only relating to the above mentioned transaction has been rejected due to the following reason(s):

1. COPY OF THE LETTER OF CREDIT NOT PRESENTED
2. BENEFICIARY'S CERTIFICATE INDICATES APPLICANT'S NAME AS: " EASTERN MEAT SOLUTIONS INC." , INSTEAD OF : "EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION"
3. BENEFICIARY'S CERTIFICATE INDICATES "...FOR THE LEASED PREMISES..." INSTEAD OF (AS PER THE LETTER OF CREDIT): "FOR THE LEASE PREMISES..."
4. FIRST PARAGRAPH IN THE BENEFICIARY'S CERTIFICATE IS INCONSISTENT AND IT IS NOT REQUIRED UNDER THE LETTER OF CREDIT AS A PART OF THE BENEFICIARY'S CERTIFICATE .
5. BENEFICIARY'S NAME ABOVE THE SIGNATURE INDICATES: " BENEFICIARY'S NAME AS PER THE L/C" INSTEAD OF " BENEFICIARY ".

RETURN TO: Bank of Montreal, 250 Yonge St., 11th Floor, Toronto, ON M5B 2L7, Canada

Beneficiary's Instructions:
From: SIERRA WINDS BUSINESS PARK INC.
Your Reference: BMT0697221OS
Our Drawing for: CAD1,495,000.00

- () Corrected documents enclosed herewith
- () Please obtain applicant's payment authorization.
- () Please return documents to us at the following address:.

Authorized signature
signature _____

Name/Title

Date

Unless otherwise instructed herein, all correspondence and enquiries regarding this transaction should be directed to our Customer Service Centre at the above address, telephone: 416-598-6112. Please indicate our reference number in all your correspondence or telephone enquiries.

This document is computer-generated, and requires no signature.

This is **Exhibit "M"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



RE: BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Sent: Nov 15, 2024 4:07 PM
Expires: Feb 13, 2025 4:07 PM
From: christopher@yorkrealty.ca
To: koye.sanni@bmo.com
Cc: normand.girard@bmo.com, matt@yorkrealty.ca, srinath.perera@bmo.com, alain.bagirakandi@bmo.com
Subject: RE: BMT0697221OS Attached Image [PROTECT]

Attachments: LC Draw request - revised Nov 15.docx

Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,
Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix[®]

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca >; Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through



I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 12:47 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:38 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all **New Standby & Guarantees application and amendment requests only** to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT06972210S Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT06972210S Attached Image

Hello Koye,

The fax number you provided says it is "not available in your area". Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT06972210S Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:



The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

514

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot < christopher@yorkrealty.ca >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
Niriksh.Shetty@bmo.com
Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com >; Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com >
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Cc: Christopher Drobot <christopher@yorkrealty.ca >
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema

Associate Director

Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com

M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Monday, October 28, 2024 3:21 PM

To: Cheema, Sunny <sunny1.cheema@bmo.com>

Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca>

Sent: Friday, October 18, 2024 10:11:46 AM

To: Christopher Drobot <christopher@yorkrealty.ca>

Subject: Attached Image



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 15, 2024

RE: Standby Letter of Credit Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication:

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

Signature Authenticated by:

(Bank or Notary authorized signature and title):

This is **Exhibit "N"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



RE: BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Received: Nov 18, 2024 10:50 AM
Expires: Feb 16, 2025 10:50 AM
From: koye.sanni@bmo.com
To: christopher@yorkrealty.ca
Cc: alain.bagirakandi@bmo.com, matt@yorkrealty.ca, normand.girard@bmo.com, srinath.perera@bmo.com
Subject: RE: BMT0697221OS Attached Image [PROTECT]
Attachments: LC Draw request - revised Nov 15.docx , ~WRD0001.jpg

This message was sent securely using Zix®

Hi Christopher,

Please note the following discrepancies noted on the revised draft of the demand-

- copy of the letter of credit not presented.
- Beneficiary's Certificate should be signed by the beneficiary.
- For consistency purpose you may consider adding currency under Standby Letter of Credit Amount to show as CAD1,500,000.
- Remove authentication under Signature bloc.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 6:08 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Girard, Normand <normand.girard@bmo.com>; matt@yorkrealty.ca; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath

This message was sent securely using Zix[®]

Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,
Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix[®]

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Sent: Thursday, November 14, 2024 3:45:55 PM

To: Christopher Drobot <christopher@yorkrealty.ca >; Perera, Srinath <SRINATH.PERERA@bmo.com >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >

Sent: Thursday, November 14, 2024 5:25 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMTO697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 14, 2024 1:40 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMTO697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >

Sent: November 14, 2024 1:06 PM

To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMTO697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

523

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Thursday, November 14, 2024 2:55 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>

Sent: November 14, 2024 12:47 PM

To: Christopher Drobot <christopher@yorkrealty.ca>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMTO697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Thursday, November 14, 2024 2:38 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot

Sent: November 13, 2024 2:53 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >

Sent: November 13, 2024 2:38 PM

To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMTO697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <crm

Sent: Wednesday, November 13, 2024 12:33 PM

To: Sanni, Koye <Koye.Sanni@bmo.com >

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

526

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Friday, November 1, 2024 1:13 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

Niriksh.Shetty@bmo.com

Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot <christopher@yorkrealty.ca >

Sent: Monday, October 28, 2024 5:42 PM

To: Cheema, Sunny <sunny1.cheema@bmo.com >; Shetty, Niriksh <Niriksh.Shetty@bmo.com >

Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com >

Sent: October 28, 2024 3:26 PM

To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >

Cc: Christopher Drobot <christopher@yorkrealty.ca >

Subject: FW: Attached Image

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Subject: Attached Image

This message was secured by Zix®.

This message was secured by Zix®.

This message was secured by Zix®.



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 15, 2024

RE: Standby Letter of Credit Amount: \$1,500,000

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication:

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

Signature Authenticated by:

(Bank or Notary authorized signature and title):

This is **Exhibit "O"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



RE: BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Sent: Nov 18, 2024 11:48 AM
Expires: Feb 16, 2025 11:48 AM
From: christopher@yorkrealty.ca
To: koye.sanni@bmo.com
Cc: alain.bagirakandi@bmo.com, normand.girard@bmo.com, srinath.perera@bmo.com, matt@yorkrealty.ca
Subject: RE: BMT0697221OS Attached Image [PROTECT]

Attachments: LC - Sierra Notice of Non-renewal.pdf , LC Approval - email chain.pdf , LC rev SIERRA.pdf , LC Demand Letter Nov 18, 2024.pdf

Thanks Koye. See attached demand letter with requested revisions.

Note, as I have shared all along, we were not provided with the original of the LC. I have included here the draft version of the LC that we were provided along with the applicant's email confirmation of having approved the LC for release (which the receipt of the original notice of non-renewal, also attached, confirms was in fact issued as required to us as beneficiary.)

Thanks,
Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 10:50 AM ---

This message was sent securely using Zix®

Hi Christopher,

Please note the following discrepancies noted on the revised draft of the demand-

- copy of the letter of credit not presented.
- Beneficiary's Certificate should be signed by the beneficiary.
- For consistency purpose you may consider adding currency under Standby Letter of Credit Amount to show as CAD1,500,000.
- Remove authentication under Signature bloc.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>**Sent:** Friday, November 15, 2024 6:08 PM**To:** Sanni, Koye <Koye.Sanni@bmo.com>**Cc:** Girard, Normand <normand.girard@bmo.com>; matt@yorkrealty.ca; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>**Subject:** RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix ®

Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix ®

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca >; Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS
Team Lead, Standby Letters of Credit and Guarantees
Bank of Montreal and BMO Bank N.A.
Global Trade Operations

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 12:47 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:38 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM

To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot Director, Capital Solutions

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY Property Solutions Simplified ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot Director, Capital Solutions

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY Property Solutions Simplified ®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye < Koye.Sanni@bmo.com >
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot < christopher@yorkrealty.ca >
Cc: Perera, Srinath < SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: BMT06972211OS Attached Image

548

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
Niriksh.Shetty@bmo.com
Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >; Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny < sunny1.cheema@bmo.com >
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Christopher Drobot < christopher@yorkrealty.ca >
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

From: canon@yorkrealty.ca < canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot < christopher@yorkrealty.ca >
Subject: Attached Image

This message was secured by Zix®.

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Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 18, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Weise, VP Accounting*

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

A handwritten signature in black ink, appearing to read "Ryan Weise", is written over a horizontal line.

Christopher Drobot

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: October 18, 2024 4:22 PM
To: Jonathan Calvert
Subject: FW: LC

External Sender, proceed with caution

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Angela Walker <angela@yorkrealty.ca>
Sent: October 18, 2024 4:18 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: LC

Angela Walker *Executive Assistant*
P 780.421.4000 Ext. 2017 **D** 780.421.4002 **C** 780.278.4493
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascscs.com>
Sent: Friday, November 3, 2023 3:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>; Rob Vanden Broek <Rob.VandenBroek@sierrascscs.com>
Subject: RE: LC

I have sent our acceptance to the last draft.
They will issue LC after internal clearances. Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascscs.com
www.sierrasupplychain.com

From: Matt Woolsey <matt@yorkrealty.ca>
Sent: Friday, November 3, 2023 5:07 PM

To: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>

Subject: Re: LC

[EXTERNAL EMAIL: Proceed with caution]

Hi Ramesh,

Hope you are doing well.

Any update on your end for this?

Thanks,

Matt

Matt Woolsey *President*

P [780.421.4000](tel:780.421.4000) **D** [780.508.0104](tel:780.508.0104) **C** [780.906.6321](tel:780.906.6321)

10303 Jasper Avenue, Suite 1600

Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified™*

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>

Date: Wednesday, October 25, 2023 at 7:13 PM

To: Matt Woolsey <matt@yorkrealty.ca>, Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>

Subject: LC

Bank reminded us that we need to get back to them on LC terms and get ok from York. Can I request to look into that .
Thx

Ramesh Nedadur | President and COO

Sierra Supply Chain Services

a division of Eastern Meat Solutions Inc.

5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6

T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544

E: ramesh.nedadur@sierrascs.com

www.sierrasupplychain.com

**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6 Canada

October 09, 2024

Re: Our Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: EASTERN MEAT SOLUTIONS INC

Dear Customer,

"THIS IS A NON-RENEWAL NOTICE.

We wish to inform you that our abovementioned Letter of Credit will not be renewed by us for an additional one-year period; therefore, it will expire at our counters on November 19, 2024.

Should you consent, however, to the cancellation of this Letter of Credit prior to its present expiration date, please return the original Letter of Credit instrument together with any subsequent amendment(s) directly to us to your complete discharge.

Should you need to make a claim under our Letter of Credit please ensure that your claim is presented to us no later than November 19, 2024.

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION.

Unless otherwise instructed herein, all correspondence and enquiries regarding this transaction should be directed to our Customer Service Centre at the above address, telephone: 416-598-6112. Please indicate our reference number in all your correspondence or telephone enquiries.

Regards,

A handwritten signature in blue ink, appearing to read "Niriksh Shetty", is written over a horizontal line.

NIRIKSH SHETTY

Authorised Signature(s)



Bank of Montreal

250 Yonge St., 11th Floor
 Toronto, ON M5B 2L7
 Tel: 416 598-6112
 Fax: 416 598-6076
 SWIFT: BOFMCAT2

Irrevocable

Standby Letter of Credit No.: BMT0697221OS

+++DRAFT+++

ISSUE DATE: SEPTEMBER XXXX, 2023
 EXPIRY DATE: SEPTEMBER XXXX, 2024

BENEFICIARY:

SIERRA WINDS BUSINESS PARK INC.,
 #1600, 10303 JASPER AVENUE NW,
 EDMONTON, AB T5J 3N6

APPLICANT:

EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
 5090 EXPLORER DRIVE,
 SUITE 203, MISSISSAUGA,
 ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS
 (CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO SEPTEMBER XXXX, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS ATLEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT

THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION

THERE TO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

This is **Exhibit "P"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



RE: BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Sent: Nov 18, 2024 1:27 PM
Expires: Feb 16, 2025 1:27 PM
From: christopher@yorkrealty.ca
To: koye.sanni@bmo.com
Cc: normand.girard@bmo.com, alain.bagirakandi@bmo.com, srinath.perera@bmo.com, matt@yorkrealty.ca
Subject: RE: BMT0697221OS Attached Image [PROTECT]

Attachments: Fax confirmation 6076.pdf , Fax confirmation 6071.pdf , Fax confirmation 6075.pdf

Hello Koye,

Given the earlier challenges we had in having faxes come through, I have submitted to the three separate fax lines you earlier provided:
1-416-598-6071
1-416-598-6075
1-416-598-6076

Fax confirmations are attached.

Thanks,
Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 1:04 PM ---

This message was sent securely using Zix[®]

Hi Christopher,

Kindly present the claim via fax.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>
Sent: Monday, November 18, 2024 1:48 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; matt@yorkrealty.ca; Girard, Normand <normand.girard@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT06972210S Attached Image [PROTECT]

This message was sent securely using Zix ®

Thanks Koye. See attached demand letter with requested revisions.

Note, as I have shared all along, we were not provided with the original of the LC. I have included here the draft version of the LC that we were provided along with the applicant's email confirmation of having approved the LC for release (which the receipt of the original notice of non-renewal, also attached, confirms was in fact issued as required to us as beneficiary.)

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 10:50 AM ---

This message was sent securely using Zix ®

Hi Christopher,

Please note the following discrepancies noted on the revised draft of the demand-

- copy of the letter of credit not presented.
- Beneficiary's Certificate should be signed by the beneficiary.
- For consistency purpose you may consider adding currency under Standby Letter of Credit Amount to show as CAD1,500,000.
- Remove authentication under Signature bloc.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Friday, November 15, 2024 6:08 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Girard, Normand <normand.girard@bmo.com>; matt@yorkrealty.ca; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix ®

Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix ®

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot

Director, Capital Solutions

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified

®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca >; Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS
Team Lead, Standby Letters of Credit and Guarantees
Bank of Montreal and BMO Bank N.A.

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 12:47 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:38 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

Please direct all **New Standby & Guarantees application and amendment requests only** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot < christopher@yorkrealty.ca >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
Niriksh.Shetty@bmo.com
Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >; Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified®

From: Cheema, Sunny <sunny1.cheema@bmo.com >
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Christopher Drobot < christopher@yorkrealty.ca >
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot

Director, Capital Solutions

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca < canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot < christopher@yorkrealty.ca >
Subject: Attached Image

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577



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 18, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Weise, VP Accounting*

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary: 

578

**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT0697221OS**

+++DRAFT+++

ISSUE DATE: SEPTEMBER XXXX, 2023
EXPIRY DATE: SEPTEMBER XXXX, 2024

BENEFICIARY:
SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS
(CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:
"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"

579



2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO SEPTEMBER XXXX, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS ATLEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT

580



THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

581



THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION

582



THERE TO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

583

Christopher Drobot

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: October 18, 2024 4:22 PM
To: Jonathan Calvert
Subject: FW: LC

External Sender, proceed with caution

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Angela Walker <angela@yorkrealty.ca>
Sent: October 18, 2024 4:18 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: LC

Angela Walker *Executive Assistant*
P 780.421.4000 Ext. 2017 **D** 780.421.4002 **C** 780.278.4493
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Sent: Friday, November 3, 2023 3:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: RE: LC

I have sent our acceptance to the last draft.
They will issue LC after internal clearances. Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

From: Matt Woolsey <matt@yorkrealty.ca>
Sent: Friday, November 3, 2023 5:07 PM

584

To: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>

Subject: Re: LC

[EXTERNAL EMAIL: Proceed with caution]

Hi Ramesh,

Hope you are doing well.

Any update on your end for this?

Thanks,
Matt

Matt Woolsey *President*

P 780.421.4000 **D** 780.508.0104 **C** 780.906.6321

10303 Jasper Avenue, Suite 1600

Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified™*

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>

Date: Wednesday, October 25, 2023 at 7:13 PM

To: Matt Woolsey <matt@yorkrealty.ca>, Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>

Subject: LC

Bank remind us that we need to get back to them on LC terms and get ok from York. Can I request to look into that .
Thx

Ramesh Nedadur | President and COO

Sierra Supply Chain Services

a division of Eastern Meat Solutions Inc.

5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6

T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544

E: ramesh.nedadur@sierrascs.com

www.sierrasupplychain.com

585



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 18, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Weise, VP Accounting*

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary: 

586

**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT0697221OS**

+++DRAFT+++

ISSUE DATE: SEPTEMBER XXXX, 2023
EXPIRY DATE: SEPTEMBER XXXX, 2024

BENEFICIARY:
SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS
(CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:
"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC. AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"

587



2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO SEPTEMBER XXXX, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS ATLEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT

588



THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

589



THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION

590



THERE TO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

591

Christopher Drobot

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: October 18, 2024 4:22 PM
To: Jonathan Calvert
Subject: FW: LC

External Sender, proceed with caution

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Angela Walker <angela@yorkrealty.ca>
Sent: October 18, 2024 4:18 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: LC

Angela Walker *Executive Assistant*
P 780.421.4000 Ext. 2017 **D** 780.421.4002 **C** 780.278.4493
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Sent: Friday, November 3, 2023 3:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: RE: LC

I have sent our acceptance to the last draft.
They will issue LC after internal clearances. Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

From: Matt Woolsey <matt@yorkrealty.ca>
Sent: Friday, November 3, 2023 5:07 PM

592

To: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>

Subject: Re: LC

[EXTERNAL EMAIL: Proceed with caution]

Hi Ramesh,

Hope you are doing well.

Any update on your end for this?

Thanks,
Matt

Matt Woolsey *President*

P 780.421.4000 **D** 780.508.0104 **C** 780.906.6321

10303 Jasper Avenue, Suite 1600

Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified™*

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>

Date: Wednesday, October 25, 2023 at 7:13 PM

To: Matt Woolsey <matt@yorkrealty.ca>, Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>

Subject: LC

Bank reminded us that we need to get back to them on LC terms and get ok from York. Can I request to look into that .
Thx

Ramesh Nedadur | President and COO

Sierra Supply Chain Services

a division of Eastern Meat Solutions Inc.

5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6

T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544

E: ramesh.nedadur@sierrascs.com

www.sierrasupplychain.com

593



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 18, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Signature authentication: *Ryan Weise, VP Accounting*

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary: 

594

**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT0697221OS**

+++DRAFT+++

ISSUE DATE: SEPTEMBER XXXX, 2023
EXPIRY DATE: SEPTEMBER XXXX, 2024

BENEFICIARY:
SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS
(CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:
"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC. AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"

595



2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO SEPTEMBER XXXX, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS ATLEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT

596



THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

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THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION

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THERE TO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

Christopher Drobot

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: October 18, 2024 4:22 PM
To: Jonathan Calvert
Subject: FW: LC

External Sender, proceed with caution

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Angela Walker <angela@yorkrealty.ca>
Sent: October 18, 2024 4:18 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: LC

Angela Walker *Executive Assistant*
P 780.421.4000 Ext. 2017 **D** 780.421.4002 **C** 780.278.4493
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Sent: Friday, November 3, 2023 3:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: RE: LC

I have sent our acceptance to the last draft.
They will issue LC after internal clearances. Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

From: Matt Woolsey <matt@yorkrealty.ca>
Sent: Friday, November 3, 2023 5:07 PM

600

To: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: Re: LC

[EXTERNAL EMAIL: Proceed with caution]
Hi Ramesh,

Hope you are doing well.

Any update on your end for this?

Thanks,
Matt

Matt Woolsey *President*
P 780.421.4000 **D** 780.508.0104 **C** 780.906.6321
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified*™

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Date: Wednesday, October 25, 2023 at 7:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>, Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: LC

Bank reminded us that we need to get back to them on LC terms and get ok from York. Can I request to look into that .
Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

This is **Exhibit "Q"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" at the beginning.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Received: Nov 19, 2024 11:04 AM
Expires: Feb 17, 2025 11:04 AM
From: alain.bagirakandi@bmo.com
To: christopher@yorkrealty.ca
Cc: srinath.perera@bmo.com, normand.girard@bmo.com, koye.sanni@bmo.com, matt@yorkrealty.ca
Subject: BMT0697221OS Attached Image [PROTECT]

Attachments: REVISED NOTICE OF DISCREPANCY.pdf

This message was sent securely using Zix[®]

Hi Christopher,

Further to your revised presentation made on November 18, 2024 (Initial presentation made on November 14, 2024), see attached our notice of discrepancy.

We noticed that Word "authentication" is not applicable in the box for the Beneficiary's Signature. We understand that ----- is a "Signature" who signed under "the Beneficiary's Authorized Signature".

Regards

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Monday, November 18, 2024 3:27 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: matt@yorkrealty.ca; Girard, Normand <normand.girard@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix[®]

Hello Koye,

Given the earlier challenges we had in having faxes come through, I have submitted to the three separate fax lines you earlier provided:

1-416-598-6071

Fax confirmations are attached.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 1:04 PM ---

This message was sent securely using Zix[®]

Hi Christopher,

Kindly present the claim via fax.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Monday, November 18, 2024 1:48 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; matt@yorkrealty.ca; Girard, Normand <normand.girard@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image [PROTECT]

This message was sent securely using Zix[®]

Thanks Koye. See attached demand letter with requested revisions.

Note, as I have shared all along, we were not provided with the original of the LC. I have included here the draft version of the LC that we were provided along with the applicant's email confirmation of having approved the LC for release (which the receipt of the original notice of non-renewal, also attached, confirms was in fact issued as required to us as beneficiary).

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Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 10:50 AM ---

This message was sent securely using Zix[®]

Hi Christopher,

Please note the following discrepancies noted on the revised draft of the demand-

-copy of the letter of credit not presented.

-Beneficiary's Certificate should be signed by the beneficiary.

-For consistency purpose you may consider adding currency under Standby Letter of Credit Amount to show as CAD1,500,000.

-Remove authentication under Signature bloc.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Friday, November 15, 2024 6:08 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Girard, Normand <normand.girard@bmo.com>; matt@yorkrealty.ca; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image [PROTECT]

Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix[®]

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Friday, November 15, 2024 12:21 PM

To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>

Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>

Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca >; Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS
Team Lead, Standby Letters of Credit and Guarantees
Bank of Montreal and BMO Bank N.A.
Global Trade Operations
250 Yonge St., 11th Floor, Toronto ON, M5B 2L7
Tel: 416 598 6592 | Fax: 416 598 6075
alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

608

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com>
Sent: November 14, 2024 12:47 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

609

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, November 14, 2024 2:38 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMTO697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified

®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot

Director, Capital Solutions

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified

®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

613

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>

Sent: Friday, November 1, 2024 1:13 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot

Director, Capital Solutions

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified

®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

615

Thanks,

Christopher Drobot Director, Capital Solutions

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY Property Solutions Simplified ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot Director, Capital Solutions

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY Property Solutions Simplified ®

From: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot < christopher@yorkrealty.ca >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

Niriksh.Shetty@bmo.com

Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com >; Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny <sunny1.cheema@bmo.com >
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Cc: Christopher Drobot <christopher@yorkrealty.ca >
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema

Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: canon@yorkrealty.ca <canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Subject: Attached Image

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**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6 Canada

November 19, 2024

Re: Our Reference Standby Letter of Credit No.: BMT0697221OS Claim Number 3

Standby Letter of Credit Number BMT0697221OS 'issued by' Bank of Montreal
Claim Amount: CAD 1,495,000.00
Claim Date: November 14, 2024
Applicant: EASTERN MEAT SOLUTIONS INC

We advise that the claim to Pay Only relating to the above mentioned transaction has been rejected due to the following reason(s):

1. COPY OF THE LETTER OF CREDIT NOT PRESENTED

RETURN TO: Bank of Montreal, 250 Yonge St., 11th Floor, Toronto, ON M5B 2L7, Canada

Beneficiary's Instructions:

From: SIERRA WINDS BUSINESS PARK INC.
Your Reference: BMT0697221OS
Our Drawing for: CAD1,495,000.00

- () Corrected documents enclosed herewith
- () Please obtain applicant's payment authorization.
- () Please return documents to us at the following address:.

Authorized signature

signature _____

Name/Title

Date:

Unless otherwise instructed herein, all correspondence and enquiries regarding this transaction should be directed to our Customer Service Centre at the above address, telephone: 416-598-6112. Please indicate our reference number in all your correspondence or telephone enquiries.

This document is computer-generated, and requires no signature.

This is **Exhibit "R"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" and "M".

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



RE: BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Sent: Nov 19, 2024 1:01 PM
Expires: Feb 17, 2025 1:01 PM
From: christopher@yorkrealty.ca
To: matt@yorkrealty.ca, alain.bagirakandi@bmo.com
Cc: srinath.perera@bmo.com, normand.girard@bmo.com, koye.sanni@bmo.com
Subject: RE: BMT0697221OS Attached Image [PROTECT]

Attachments: 20241119 Fax confirmation 6076.pdf , 20241119 Fax confirmation 6071.pdf , 20241119 Fax confirmation 6075.pdf

Hello all,

Per Matt's note, see attached the fax confirmations for our having sent the L/C demand with revised language at "authentication".

Thanks,
Christopher

--- Originally sent by matt@yorkrealty.ca on Nov 19, 2024 12:41 PM ---

This message was sent securely using Zix ®

BMO Team;

Our lease agreement required that our Tenant provide the Landlord with a security deposit paid by way of a letter of credit within 30-days of mutual execution of the Lease (see s. 6 in attached executed lease). We have previously established the connection between ourselves as successor to the Landlord (Woolsey Equities) and the Tenant (Sierra Realty (Calgary) Corporation).

Further, in section 10 of the lease, when the Tenant becomes, or threatens to become insolvent or seek creditor protection, said security deposit belongs to the landlord.

Per section 10 of the fully executed lease, "a ll rights and remedies of the Landlord in connection with the Lease are cumulative and, where applicable, shall survive the early termination of this Lease or the expiration of the Term of this Lease".

While we, as Landlord, were not provided with an original or copy of the letter of credit, the letter of credit was to be provided and was created by the Tenant for our benefit to protect against the eventuality of the current situation.

We will correct the letter, per your instructions, and await your feedback.

Thanks,
Matt

--- Originally sent by alain.bagirakandi@bmo.com on Nov 19, 2024 11:05 AM ---

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Hi Christopher,

Further to your revised presentation made on November 18, 2024 (Initial presentation made on November 14, 2024), see attached our notice of discrepancy.

We noticed that Word "authentication" is not applicable in the box for the Beneficiary's Signature. We understand that ----- is a "Signature" who signed under "the Beneficiary's Authorized Signature".

Regards

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Monday, November 18, 2024 3:27 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: matt@yorkrealty.ca; Girard, Normand <normand.girard@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>

Subject: RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix ®

Hello Koye,

Given the earlier challenges we had in having faxes come through, I have submitted to the three separate fax lines you earlier provided:

1-416-598-6071

1-416-598-6075

1-416-598-6076

Fax confirmations are attached.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 1:04 PM ---

This message was sent securely using Zix ®

Hi Christopher,

Kindly present the claim via fax.

Best regards,

624

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Monday, November 18, 2024 1:48 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; matt@yorkrealty.ca; Girard, Normand <normand.girard@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image [PROTECT]

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Thanks Koye. See attached demand letter with requested revisions.

Note, as I have shared all along, we were not provided with the original of the LC. I have included here the draft version of the LC that we were provided along with the applicant's email confirmation of having approved the LC for release (which the receipt of the original notice of non-renewal, also attached, confirms was in fact issued as required to us as beneficiary.)

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 10:50 AM ---

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Hi Christopher,

Please note the following discrepancies noted on the revised draft of the demand-

-copy of the letter of credit not presented.

-Beneficiary's Certificate should be signed by the beneficiary.

-For consistency purpose you may consider adding currency under Standby Letter of Credit Amount to show as CAD1,500,000.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 6:08 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Girard, Normand <normand.girard@bmo.com>; matt@yorkrealty.ca; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMT0697221OS Attached Image [PROTECT]

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Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,
Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix ®

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot	Director, Capital Solutions		
P	780.421.4000 Ext. 2010	D	825.480.4523 C
			780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Sent: Thursday, November 14, 2024 3:45:55 PM

To: Christopher Drobot <christopher@yorkrealty.ca >; Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >
Subject: RE: BMT0697221OS Attached Image

627

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS
Team Lead, Standby Letters of Credit and Guarantees
Bank of Montreal and BMO Bank N.A.
Global Trade Operations
250 Yonge St., 11th Floor, Toronto ON, M5B 2L7
Tel: 416 598 6592 | Fax: 416 598 6075
alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot

P

Director, Capital Solutions

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

628

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot

P

Director, Capital Solutions

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Perera, Srinath <SRINATH.PERERA@bmo.com >

Sent: November 14, 2024 1:06 PM

To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >

Sent: Thursday, November 14, 2024 2:55 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

629

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot
P

Director, Capital Solutions

780.421.4000 Ext. 2010 D

825.480.4523 C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 12:47 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:38 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot
P

Director, Capital Solutions
780.421.4000 Ext. 2010 D

825.480.4523 C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot
P

Director, Capital Solutions
780.421.4000 Ext. 2010 D

825.480.4523 C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY*Property Solutions Simplified*®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

631

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all **New Standby & Guarantees application and amendment requests only** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot

P

Director, Capital Solutions

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

632

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

Director, Capital Solutions

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

Director, Capital Solutions

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot*Director, Capital Solutions***P**780.421.4000 Ext. 2010 **D**825.480.4523 **C**

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY*Property Solutions Simplified*

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From: Sanni, Koye <Koye.Sanni@bmo.com >**Sent:** November 1, 2024 11:24 AM**To:** Christopher Drobot <christopher@yorkrealty.ca >**Cc:** Perera, Srinath <SRINATH.PERERA@bmo.com >**Subject:** RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group**Global Trade Operations**250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >**Sent:** Friday, November 1, 2024 1:13 PM**To:** Sanni, Koye <Koye.Sanni@bmo.com >**Cc:** Perera, Srinath <SRINATH.PERERA@bmo.com >**Subject:** RE: BMT0697221OS Attached Image

Hello Koye,

634

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Subject: RE: BMTO6972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com>
Cc: Cheema, Sunny <sunny1.cheema@bmo.com>
Subject: RE: BMTO6972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot < christopher@yorkrealty.ca >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: BMT06972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
Niriksh.Shetty@bmo.com
Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 5:42 PM

To: Cheema, Sunny < sunny1.cheema@bmo.com >; Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Subject: RE: Attached Image

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Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny < sunny1.cheema@bmo.com >
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Christopher Drobot < christopher@yorkrealty.ca >
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot

Director, Capital Solutions

P

780.421.4000 Ext. 2010 D

825.480.4523 C

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified



From: canon@yorkrealty.ca < canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot < christopher@yorkrealty.ca >
Subject: Attached Image

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Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 19, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

A handwritten signature in black ink, appearing to be "A.H.", is written over a horizontal line.

Christopher Drobot

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: October 18, 2024 4:22 PM
To: Jonathan Calvert
Subject: FW: LC

External Sender, proceed with caution

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Angela Walker <angela@yorkrealty.ca>
Sent: October 18, 2024 4:18 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: LC

Angela Walker *Executive Assistant*
P 780.421.4000 Ext. 2017 **D** 780.421.4002 **C** 780.278.4493
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Sent: Friday, November 3, 2023 3:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: RE: LC

I have sent our acceptance to the last draft.
They will issue LC after internal clearances. Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

From: Matt Woolsey <matt@yorkrealty.ca>
Sent: Friday, November 3, 2023 5:07 PM

642

To: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: Re: LC

[EXTERNAL EMAIL: Proceed with caution]
Hi Ramesh,

Hope you are doing well.

Any update on your end for this?

Thanks,
Matt

Matt Woolsey *President*
P 780.421.4000 **D** 780.508.0104 **C** 780.906.6321
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified*™

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Date: Wednesday, October 25, 2023 at 7:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>, Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: LC

Bank reminded us that we need to get back to them on LC terms and get ok from York. Can I request to look into that .
Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

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**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT0697221OS**

+++DRAFT+++

ISSUE DATE: SEPTEMBER XXXX, 2023
EXPIRY DATE: SEPTEMBER XXXX, 2024

BENEFICIARY:
SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS
(CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:
"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC. AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"

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2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO SEPTEMBER XXXX, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS ATLEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT

645



THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

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THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION

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THERE TO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

648



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 19, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

A handwritten signature in black ink, appearing to be "A.H.", is written over a horizontal line.

649

Christopher Drobot

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: October 18, 2024 4:22 PM
To: Jonathan Calvert
Subject: FW: LC

External Sender, proceed with caution

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Angela Walker <angela@yorkrealty.ca>
Sent: October 18, 2024 4:18 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: LC

Angela Walker *Executive Assistant*
P 780.421.4000 Ext. 2017 **D** 780.421.4002 **C** 780.278.4493
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Sent: Friday, November 3, 2023 3:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: RE: LC

I have sent our acceptance to the last draft.
They will issue LC after internal clearances. Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

From: Matt Woolsey <matt@yorkrealty.ca>
Sent: Friday, November 3, 2023 5:07 PM

650

To: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: Re: LC

[EXTERNAL EMAIL: Proceed with caution]
Hi Ramesh,

Hope you are doing well.

Any update on your end for this?

Thanks,
Matt

Matt Woolsey *President*
P 780.421.4000 **D** 780.508.0104 **C** 780.906.6321
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified™*

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Date: Wednesday, October 25, 2023 at 7:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>, Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: LC

Bank reminded us that we need to get back to them on LC terms and get ok from York. Can I request to look into that .
Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

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Bank of Montreal

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable

Standby Letter of Credit No.: BMT0697221OS

+++DRAFT+++

ISSUE DATE: SEPTEMBER XXXX, 2023
EXPIRY DATE: SEPTEMBER XXXX, 2024

BENEFICIARY:
SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS
(CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:
"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC. AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"

652



2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO SEPTEMBER XXXX, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS ATLEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT

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THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

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THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION

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THERE TO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

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Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 19, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

A handwritten signature in black ink, appearing to be 'A.H.', is written over a horizontal line.

Christopher Drobot

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: October 18, 2024 4:22 PM
To: Jonathan Calvert
Subject: FW: LC

External Sender, proceed with caution

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694
10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Angela Walker <angela@yorkrealty.ca>
Sent: October 18, 2024 4:18 PM
To: Christopher Drobot <christopher@yorkrealty.ca>
Subject: FW: LC

Angela Walker *Executive Assistant*
P 780.421.4000 Ext. 2017 **D** 780.421.4002 **C** 780.278.4493
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Sent: Friday, November 3, 2023 3:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: RE: LC

I have sent our acceptance to the last draft.
They will issue LC after internal clearances. Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

From: Matt Woolsey <matt@yorkrealty.ca>
Sent: Friday, November 3, 2023 5:07 PM

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To: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>; Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: Re: LC

[EXTERNAL EMAIL: Proceed with caution]
Hi Ramesh,

Hope you are doing well.

Any update on your end for this?

Thanks,
Matt

Matt Woolsey *President*
P 780.421.4000 **D** 780.508.0104 **C** 780.906.6321
10303 Jasper Avenue, Suite 1600
Edmonton, AB T5J 3N6

YORK REALTY *Property Solutions Simplified*™

From: Ramesh Nedadur <Ramesh.Nedadur@sierrascs.com>
Date: Wednesday, October 25, 2023 at 7:13 PM
To: Matt Woolsey <matt@yorkrealty.ca>, Rob Vanden Broek <Rob.VandenBroek@sierrascs.com>
Subject: LC

Bank reminded us that we need to get back to them on LC terms and get ok from York. Can I request to look into that .
Thx

Ramesh Nedadur | President and COO
Sierra Supply Chain Services
a division of Eastern Meat Solutions Inc.
5090 Explorer Drive, Suite 203, Mississauga, Ontario. L4W 5X6
T: 416.252.2791 x 241 **M:** 416-471-2519 **F:** 416-252-2544
E: ramesh.nedadur@sierrascs.com
www.sierrasupplychain.com

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**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT0697221OS**

+++DRAFT+++

ISSUE DATE: SEPTEMBER XXXX, 2023
EXPIRY DATE: SEPTEMBER XXXX, 2024

BENEFICIARY:
SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:
EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS
(CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:
"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC. AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT0697221OS. PLEASE WIRE PROCEEDS TO:"

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2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO SEPTEMBER XXXX, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS ATLEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT

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THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

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THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION

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THERE TO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

This is **Exhibit "S"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in black ink that reads "Montgomery". The signature is written in a cursive style with a large, stylized "M" at the beginning.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Received: Nov 19, 2024 3:21 PM
Expires: Feb 17, 2025 3:21 PM
From: alain.bagirakandi@bmo.com
To: christopher@yorkrealty.ca, matt@yorkrealty.ca
Cc: normand.girard@bmo.com, marina.radman@bmo.com, ameeta.singh@bmo.com
Subject: BMT0697221OS Attached Image [PROTECT]
Attachments: BMT0697221OS-SGD (1).pdf

This message was sent securely using Zix[®]

Hi Matt,

As per your request please find attached a copy our letter of credit.

Thanks

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: matt@yorkrealty.ca <matt@yorkrealty.ca>

Sent: Tuesday, November 19, 2024 5:15 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>; christopher@yorkrealty.ca

Cc: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>; Girard, Normand <normand.girard@bmo.com>

Subject: RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix[®]

Hi Alain,

Further to my last email, can you please provide us with a copy of the Letter of Credit?

Thanks,
Matt

This message was sent securely using Zix[®]

Hello Koye,

Given the earlier challenges we had in having faxes come through, I have submitted to the three separate fax lines you earlier provided:

1-416-598-6071

1-416-598-6075

1-416-598-6076

Fax confirmations are attached.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 1:04 PM ---

This message was sent securely using Zix[®]

Hi Christopher,

Kindly present the claim via fax.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Monday, November 18, 2024 1:48 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; matt@yorkrealty.ca; Girard, Normand <normand.girard@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMTO697221OS Attached Image [PROTECT]

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This message was sent securely using Zix[®]

Thanks Koye. See attached demand letter with requested revisions.

Note, as I have shared all along, we were not provided with the original of the LC. I have included here the draft version of the LC that we were provided along with the applicant's email confirmation of having approved the LC for release (which the receipt of the original notice of non-renewal, also attached, confirms was in fact issued as required to us as beneficiary.)

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 10:50 AM ---

This message was sent securely using Zix[®]

Hi Christopher,

Please note the following discrepancies noted on the revised draft of the demand-

-copy of the letter of credit not presented.

-Beneficiary's Certificate should be signed by the beneficiary.

-For consistency purpose you may consider adding currency under Standby Letter of Credit Amount to show as CAD1,500,000.

-Remove authentication under Signature bloc.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>**Sent:** Friday, November 15, 2024 6:08 PM**To:** Sanni, Koye <Koye.Sanni@bmo.com>**Cc:** Girard, Normand <normand.girard@bmo.com>; matt@yorkrealty.ca; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>**Subject:** RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix[®]

Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix[®]

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group**Global Trade Operations****250 Yonge Street, 11th Floor****Toronto, Ontario****M5B 2L7**

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot

Director, Capital Solutions

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified

®

From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca >; Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

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From: Perera, Srinath <SRINATH.PERERA@bmo.com >

Sent: November 14, 2024 12:47 PM

To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >

Sent: Thursday, November 14, 2024 2:38 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot

Director, Capital Solutions

P 780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

673

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 13, 2024 2:53 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot

Director, Capital Solutions

P 780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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®

From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 13, 2024 2:38 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot *Director, Capital Solutions*
P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 6, 2024 10:53 AM

To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
koye.sanni@bmo.com
Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com>
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com>
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

P 780.421.4000 Ext. 2010 D 825.480.4523 C 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY

Property Solutions Simplified



From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 9:36 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: RE: BMT06972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

YORK REALTY *Property Solutions Simplified* ®

From: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot < christopher@yorkrealty.ca >

Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: BMT06972211OS Attached Image

679

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
Niriksh.Shetty@bmo.com
Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >; Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

YORK REALTY *Property Solutions Simplified* ®

From: Cheema, Sunny < sunny1.cheema@bmo.com >
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Christopher Drobot < christopher@yorkrealty.ca >
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

From: canon@yorkrealty.ca < canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot < christopher@yorkrealty.ca >
Subject: Attached Image

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**Bank of Montreal**

250 Yonge St., 11th Floor
 Toronto, ON M5B 2L7
 Tel: 416 598-6112
 Fax: 416 598-6076
 SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT06972210S**

ISSUE DATE: NOVEMBER 20, 2023
 EXPIRY DATE: NOVEMBER 19, 2024

BENEFICIARY:

SIERRA WINDS BUSINESS PARK INC.,
 #1600, 10303 JASPER AVENUE NW,
 EDMONTON, AB T5J 3N6

APPLICANT:

EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION.
 5090 EXPLORER DRIVE,
 SUITE 203, MISSISSAUGA,
 ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT06972210S. PLEASE WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO NOVEMBER 19, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS AT LEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

Aloysiouse Palihakkarage Don

ORIGINAL



THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION THERETO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

ORIGINAL

This is **Exhibit "T"** referred to in the affidavit of Christopher Drobot,
sworn before me on this 20th day of February 2025

A handwritten signature in dark ink, reading "Douglas Montgomery". The signature is written in a cursive style with a large, stylized "D" at the beginning.

Commissioner for Taking Affidavits (or as may be)

DOUGLAS MONTGOMERY
(LSO #78082M)



RE: BMT0697221OS Attached Image [PROTECT]

christopher@yorkrealty.ca

Sent: Nov 19, 2024 3:44 PM
Expires: Feb 17, 2025 3:44 PM
From: christopher@yorkrealty.ca
To: alain.bagirakandi@bmo.com, matt@yorkrealty.ca
Cc: ameeta.singh@bmo.com, marina.radman@bmo.com, normand.girard@bmo.com
Subject: RE: BMT0697221OS Attached Image [PROTECT]

Attachments: 20241119-2 Fax confirmation 6071.pdf , 20241119-2 Fax confirmation 6075.pdf , 20241119-2 Fax confirmation 6076.pdf

Thanks - please see attached fax confirmations, including the demand and copy of original LC

Thank you,
Christopher

--- Originally sent by alain.bagirakandi@bmo.com on Nov 19, 2024 3:21 PM ---

This message was sent securely using Zix[®]

Hi Matt,

As per your request please find attached a copy our letter of credit.

Thanks

Alain Bagirakandi CDCS

Team Lead, Standby Letters of Credit and Guarantees

Bank of Montreal and BMO Bank N.A.

Global Trade Operations

250 Yonge St., 11th Floor, Toronto ON, M5B 2L7

Tel: 416 598 6592 | Fax: 416 598 6075

alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: matt@yorkrealty.ca <matt@yorkrealty.ca>

Sent: Tuesday, November 19, 2024 5:15 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>; christopher@yorkrealty.ca

Cc: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>; Girard, Normand <normand.girard@bmo.com>

Subject: RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix[®]

Hi Alain,

689

Further to my last email, can you please provide us with a copy of the Letter of Credit?

Thanks,
Matt

--- Originally sent by christopher@yorkrealty.ca on Nov 18, 2024 1:27 PM ---

This message was sent securely using Zix ®

Hello Koye,

Given the earlier challenges we had in having faxes come through, I have submitted to the three separate fax lines you earlier provided:

1-416-598-6071

1-416-598-6075

1-416-598-6076

Fax confirmations are attached.

Thanks,
Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 1:04 PM ---

This message was sent securely using Zix ®

Hi Christopher,

Kindly present the claim via fax.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>**Sent:** Monday, November 18, 2024 1:48 PM**To:** Sanni, Koye <Koye.Sanni@bmo.com>**Cc:** Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; matt@yorkrealty.ca; Girard, Normand <normand.girard@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>**Subject:** RE: BMT0697221OS Attached Image [PROTECT]

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Thanks Koye. See attached demand letter with requested revisions.

Note, as I have shared all along, we were not provided with the original of the LC. I have included here the draft version of the LC that we were provided along with the applicant's email confirmation of having approved the LC for release (which the receipt of the original notice of non-renewal, also attached, confirms was in fact issued as required to us as beneficiary.)

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 18, 2024 10:50 AM ---

This message was sent securely using Zix ®

Hi Christopher,

Please note the following discrepancies noted on the revised draft of the demand-

-copy of the letter of credit not presented.

-Beneficiary's Certificate should be signed by the beneficiary.

-For consistency purpose you may consider adding currency under Standby Letter of Credit Amount to show as CAD1,500,000.

-Remove authentication under Signature bloc.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: christopher@yorkrealty.ca <christopher@yorkrealty.ca>

Sent: Friday, November 15, 2024 6:08 PM

To: Sanni, Koye <Koye.Sanni@bmo.com>

Cc: Girard, Normand <normand.girard@bmo.com>; matt@yorkrealty.ca; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>

Subject: RE: BMT0697221OS Attached Image [PROTECT]

This message was sent securely using Zix ®

Thank you for the review. Please see attached draft. If satisfactory, we will have it promptly executed and notarized.

Thanks,

Christopher

--- Originally sent by koye.sanni@bmo.com on Nov 15, 2024 3:21 PM ---

This message was sent securely using Zix ®

Hi Christopher,

Please see attached discrepancy advice per your demand.

Kindly review and make the required corrections.

We recommend you send draft of the revised demand to us via email so we could review and confirm before you send the final version.

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca>
Sent: Friday, November 15, 2024 12:21 PM
To: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>; Matt Woolsey <matt@yorkrealty.ca>; Girard, Normand <normand.girard@bmo.com>
Subject: Re: BMT0697221OS Attached Image

Hello,

Can you please provide an update on your fax system's ability to receive transmissions?

Or, alternatively can you please confirm the email attachment of the letter which I have already provided will suffice?

We've provided numerous confirmations that our faxes have gone through to the numbers provided. We're simply looking for BMO to confirm receipt of the demand letter.

Thanks,

Christopher Drobot

Director, Capital Solutions

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6

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From: Bagirakandi, Alain <Alain.Bagirakandi@bmo.com>
Sent: Thursday, November 14, 2024 3:45:55 PM
To: Christopher Drobot <christopher@yorkrealty.ca>; Perera, Srinath <SRINATH.PERERA@bmo.com>
Cc: Sanni, Koye <Koye.Sanni@bmo.com>
Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

We are currently investigating with our teams onsite and will revert to you as soon as possible.

Sorry for any inconvenience.

Regards

Alain Bagirakandi CDCS
Team Lead, Standby Letters of Credit and Guarantees
Bank of Montreal and BMO Bank N.A.
Global Trade Operations
250 Yonge St., 11th Floor, Toronto ON, M5B 2L7
Tel: 416 598 6592 | Fax: 416 598 6075
alain.bagirakandi@bmo.com

Please direct all New Standby & Guarantees application and amendment requests only to BMO- Global Trade Operations at
BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 5:25 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello all,

Per below, I've attempted to fax multiple times to the numbers provided and continue to be told these haven't been received. I have verified that our fax machine is sending correctly.

Please confirm your receipt of the demand under BMT0697221OS, and, if still not received, please provide a functioning fax number to which I can send the letter.

Thanks,

Christopher Drobot

P

Director, Capital Solutions

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Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 14, 2024 1:40 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath,

For certainty, I have also verified that our fax machine is sending correctly (by sending one to myself, confirmation of which receipt is attached).

I have now tried sending FROM 780-426-7783 TO 416-598-6075 & 416-598-6071, as well as FROM 780-699-3694 TO 416-598-6075 & 416-598-6071

Perhaps, if you can try sending me one from your machine at either 780-426-7783 or 780-699-3694 I can confirm what number your machine is at, and that it's connecting?

Thanks,

Christopher Drobot**P***Director, Capital Solutions*780.421.4000 Ext. 2010 **D**825.480.4523 **C**

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton , Alberta T5J 3N6**YORK REALTY***Property Solutions Simplified*

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From: Perera, Srinath <SRINATH.PERERA@bmo.com >
Sent: November 14, 2024 1:06 PM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Christopher

Unfortunately we did not received the fax sent t: 416 598 6071

That why want to refax to 416 598 6075

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, November 14, 2024 2:55 PM
To: Perera, Srinath <SRINATH.PERERA@bmo.com >
Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Srinath, yesterday you gave me 1-416-598-6071, which I faxed to and present to you below the confirmation of transaction successfully going through

I will try again, but I'm confused as to the issues we're experiencing here when our fax machine is providing confirmations of having sent, and we've now sent to multiple numbers you and your team have provided (from the official letterhead, the numbers provided by email, and more). I'm going to try again now, and will also send from a different fax machine for certainty.

Thanks,

Christopher Drobot

P

Director, Capital Solutions

780.421.4000 Ext. 2010 D

825.480.4523 C

780.699.3694

10303 Jasper Avenue, Suite 1600
Edmonton, Alberta T5J 3N6

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From: Perera, Srinath <SRINATH.PERERA@bmo.com >

Sent: November 14, 2024 12:47 PM

To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hi Christopher,

Not received the you sent to 416 598 6076

Pls fax to: 416 598 6075

Sorry for inconvenience caused

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

BMO Financial Group | Global Trade Operations

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMO- Global Trade Operations at BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >

Sent: Thursday, November 14, 2024 2:38 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hello Srinath (or others on the team). Can you now confirm receipt of the fax?

Thanks,

Christopher Drobot

P

Director, Capital Solutions

780.421.4000 Ext. 2010 **D**

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Edmonton , Alberta T5J 3N6

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From: Christopher Drobot

Sent: November 13, 2024 2:53 PM

To: Perera, Srinath <SRINATH.PERERA@bmo.com >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hello,

I have faxed to the number below, confirmation attached.

Thanks,

Christopher Drobot

P

Director, Capital Solutions

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Edmonton , Alberta T5J 3N6

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From: Perera, Srinath <SRINATH.PERERA@bmo.com >

Sent: November 13, 2024 2:38 PM

To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Sanni, Koye <Koye.Sanni@bmo.com >; Bagirakandi, Alain <Alain.Bagirakandi@bmo.com >

Subject: RE: BMT0697221OS Attached Image

Hello Christopher,

We require The Certificate of Amalgamation or Articles of Amalgamation (what you attached is a Registration Statement).

We have not received the Fax.

Pls fax : 416 598 6071 or 1 877 801 7787

And call to confirm

Thanks

Regards

Srinath Perera | Service Specialist-Standby&Gtees

416 598 6095 | (f) 416 598 6075

srinath.perera@bmo.com

Please direct all **New Standby & Guarantees application and amendment requests only** to BMO- Global Trade Operations at **BMOGTO.SBLCGTEENewApplications@bmo.com**

From: Christopher Drobot <crm
Sent: Wednesday, November 13, 2024 12:33 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

See attached amalgamation registration statement per your request

Thanks,

Christopher Drobot
P

Director, Capital Solutions
780.421.4000 Ext. 2010 D

825.480.4523 C

780.699.3694

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Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 13, 2024 10:16 AM
To: 'Sanni, Koye' <Koye.Sanni@bmo.com >
Cc: 'Perera, Srinath' <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

The fax number you provided says it is “not available in your area”. Can you please confirm the number?

In the meantime, please see the attached transfer & draw request, and corporate summary detailing the vertical amalgamation of the initial addressee.

Thanks,

Christopher Drobot
P

Director, Capital Solutions
780.421.4000 Ext. 2010 D

825.480.4523 C

780.699.3694

10303 Jasper Avenue, Suite 1600

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From: Christopher Drobot
Sent: November 6, 2024 10:53 AM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Hello Koye,

Checking in on this question

Thanks,

Christopher Drobot

Director, Capital Solutions

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: November 1, 2024 2:32 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMTO697221OS Attached Image

Thanks Koye, and I understand. Unfortunately, we were never provided with the original (it was retained by the applicant, who failed to deliver according to their obligations under our lease)

Based on this, can a new one be issued?

Christopher Drobot

Director, Capital Solutions

P

780.421.4000 Ext. 2010

D

825.480.4523

C

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10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Sanni, Koye <Koye.Sanni@bmo.com >
Sent: November 1, 2024 11:24 AM
To: Christopher Drobot <christopher@yorkrealty.ca >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

699

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

The original LC and the draw documents according to the terms of the LC must be presented to make a claim on the LC.

Original non-renewal notice is not a requirement to draw on the LC.

Best regards,

Koye Sanni
Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group
Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Tel: 416-263-0142

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Friday, November 1, 2024 1:13 PM
To: Sanni, Koye <Koye.Sanni@bmo.com >
Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >
Subject: RE: BMT0697221OS Attached Image

Hello Koye,

Are you able to respond to my initial question to Niriksh?

The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot

Director, Capital Solutions

P

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825.480.4523 **C**

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Sanni, Koye <Koye.Sanni@bmo.com >

Sent: November 1, 2024 9:36 AM

To: Christopher Drobot <christopher@yorkrealty.ca >

Cc: Perera, Srinath <SRINATH.PERERA@bmo.com >

Subject: RE: BMTO697221OS Attached Image

You don't often get email from koye.sanni@bmo.com . Learn why this is important

Hi Christopher,

Please find below requirements for draw requests as provided in the LC:

The LC requires that the original LC is submitted for any drawing. In presentation is by fax and for a full and final drawing, the original LC must be returned.

Please note that the LC expires on November 19 2024 and as such, you draw request should be sent to us as soon as possible (preferably on or before Monday, November 11 2024).

Best regards,

Koye Sanni

Service Specialist, Standby Letters of Credit & Guarantees

BMO Financial Group

Global Trade Operations

250 Yonge Street, 11th Floor

Toronto, Ontario

M5B 2L7

koye.sanni@bmo.com

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

From: Christopher Drobot <christopher@yorkrealty.ca >
Sent: Thursday, October 31, 2024 4:35 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Subject: RE: BMTO6972211OS Attached Image

Hello Niriksh,

Appreciate the chat earlier this week. The applicant may yet have possession of the original, but has not at any time released it to us (per the obligation within their lease to do so).

I am planning to circulate a draw request, and given our possession of the original notice of non-renewal, is this adequate to satisfy BMO to our rightful claim to the funds available under this L/C?

Thanks,

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Christopher Drobot
Sent: October 28, 2024 4:09 PM
To: Shetty, Niriksh <Niriksh.Shetty@bmo.com >
Cc: Cheema, Sunny <sunny1.cheema@bmo.com >
Subject: RE: BMTO6972211OS Attached Image

Thanks Niriksh, I'll investigate – appreciate the prompt reply!

Christopher Drobot *Director, Capital Solutions*

P 780.421.4000 Ext. 2010 **D** 825.480.4523 **C** 780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

From: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Sent: October 28, 2024 4:05 PM
To: Christopher Drobot < christopher@yorkrealty.ca >
Cc: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: BMTO6972211OS Attached Image

Hi Christopher,

It was nice talking to you.

As per our telephonic conversation, the LC issued in November 2023 seems to be sent to the applicant.

Please check if the applicant if they hold the original LC in their custody.

Thanks & Regards
Niriksh Shetty

Sr.Service Representative, Standby Letters of Credit and Guarantees

BMO Financial Group
Global Trade Operations
250 Yonge Street, 11th Floor
Toronto, Ontario
M5B 2L7
Niriksh.Shetty@bmo.com
Tel: 416-947-8756

Please direct all *New Standby & Guarantees application and amendment requests only* to BMOGTO.SBLCGTEENewApplications@bmo.com

PLEASE ALWAYS QUOTE OUR LC NUMBER IN THE SUBJECT LINE .

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 5:42 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >; Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Subject: RE: Attached Image

Thanks Sunny!

Niriksh, when would be a good time for a call?

Thanks,

P

780.421.4000 Ext. 2010

D

825.480.4523

C

780.699.3694

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: Cheema, Sunny <sunny1.cheema@bmo.com >
Sent: October 28, 2024 3:26 PM
To: Shetty, Niriksh < Niriksh.Shetty@bmo.com >
Cc: Christopher Drobot < christopher@yorkrealty.ca >
Subject: FW: Attached Image

Hi Niriksh,

Christopher reached out on the attached notice of non-renewal for the Letter of Credit.

Are you please able to connect with him on this as he has some questions.

Thanks,

Sunny Cheema
Associate Director
Income Property Finance, BMO Commercial Banking

sunny1.cheema@bmo.com
M 403-200-6472

525 8th Ave SW | 12th Floor | Calgary | AB | T2P 1G1

From: Christopher Drobot < christopher@yorkrealty.ca >
Sent: Monday, October 28, 2024 3:21 PM
To: Cheema, Sunny < sunny1.cheema@bmo.com >
Subject: Fw: Attached Image

External Email: Use caution with links and attachments. | **Courriel externe :** Faites preuve de prudence en ce qui a trait aux liens et aux pièces jointes.

Hello Sunny,

Do you have Nirkish Shetty's contact details that you can share? Attached is the notice of non-renewal we received.

Thanks,

10303 Jasper Avenue, Suite 1600

Edmonton , Alberta T5J 3N6

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From: canon@yorkrealty.ca < canon@yorkrealty.ca >
Sent: Friday, October 18, 2024 10:11:46 AM
To: Christopher Drobot < christopher@yorkrealty.ca >
Subject: Attached Image

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**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT06972210S**

ISSUE DATE: NOVEMBER 20, 2023
EXPIRY DATE: NOVEMBER 19, 2024

BENEFICIARY:

SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:

EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT06972210S. PLEASE WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

706



DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO NOVEMBER 19, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS AT LEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

707



BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

Aloysiouse Palihakkarage Don

ORIGINAL

708



THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION THERETO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

709



AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

ORIGINAL

710



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 19, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

A handwritten signature in black ink, appearing to be "A.H.", is written over a horizontal line.

711



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 19, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

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Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

A handwritten signature in black ink, appearing to be "A.H.", is written over a horizontal line.

712

**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT06972210S**

ISSUE DATE: NOVEMBER 20, 2023
EXPIRY DATE: NOVEMBER 19, 2024

BENEFICIARY:

SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:

EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT06972210S. PLEASE WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

713



DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO NOVEMBER 19, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ONE YEAR FROM THE PRESENT OR ANY FUTURE EXPIRY DATE HEREOF, UNLESS AT LEAST THIRTY (30) DAYS PRIOR TO SUCH EXPIRY DATE, WE SEND YOU NOTICE IN WRITING BY REGISTERED MAIL OR COURIER, THAT WE ELECT NOT TO CONSIDER THIS STANDBY LETTER OF CREDIT TO BE RENEWABLE FOR AN ADDITIONAL PERIOD. UPON RECEIPT BY YOU OF SUCH NOTICE, YOU MAY DRAW HEREUNDER BY MEANS OF YOUR SIGNED DEMAND FOR PAYMENT CERTIFYING THAT AT THE AMOUNT DRAWN WILL BE RETAINED AND USED BY YOU TO MEET OBLIGATIONS INCURRED OR TO BE INCURRED UNDER THE LEASE AGREEMENT DATED MARCH 10, 2023 BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME.

PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

714



BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

Aloysiouse Palihakkarage Don

ORIGINAL

715



THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION THERETO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

716



AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

ORIGINAL

717



Bank of Montreal
Global Trade Operations
250 Yonge St., 11th Floor
Toronto, ON, M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076

Re: Irrevocable Standby Letter of Credit No.: BMT0697221OS
Applicant: Eastern Meat Solutions Inc., on behalf of Sierra Realty Calgary Corporation

Date: November 19, 2024

RE: Standby Letter of Credit Amount: CAD1,500,000.00

Issuing bank's reference: BMT0697221OS

The tenant Sierra Realty Calgary Corporation has failed to fulfill its obligations pursuant to the Lease Agreement entered into between Sierra Realty Calgary Corporation as Tenant and Sierra Winds Business Park Inc., as Landlord for the Lease Premises described as Plan 1910413 Block 1 Lot 1 dated March 10, 2023, as may be amended, supplemented or restated from time to time. Therefore, we are drawing for CAD1,495,000.00, under letter of credit No. BMT0697221OS. Please Wire proceeds to:

Receiving Bank: Bank of Montreal Head Office, Montreal SWIFT BIC code: BOFMCAM2

Beneficiary Bank (field 57): Bank of Montreal, 10185 – 101 ST NW, Edmonton, AB, T5J 0H4

Canadian Clearing Code: CC0001

Beneficiary (field 59): Account Number - 00141947724; Woolsey Equities Inc., Canada, 10303 Jasper Avenue NW, Suite 1600, Edmonton, AB, T5J 3N6

Beneficiary: WOOLSEY EQUITIES INC.

Authorised Signature(s) of Beneficiary:

A handwritten signature in black ink, appearing to be "A.H.", is written over a horizontal line.

718

**Bank of Montreal**

250 Yonge St., 11th Floor
Toronto, ON M5B 2L7
Tel: 416 598-6112
Fax: 416 598-6076
SWIFT: BOFMCAT2

Irrevocable**Standby Letter of Credit No.: BMT06972210S**

ISSUE DATE: NOVEMBER 20, 2023
EXPIRY DATE: NOVEMBER 19, 2024

BENEFICIARY:

SIERRA WINDS BUSINESS PARK INC.,
#1600, 10303 JASPER AVENUE NW,
EDMONTON, AB T5J 3N6

APPLICANT:

EASTERN MEAT SOLUTIONS INC., ON BEHALF OF SIERRA REALTY CALGARY CORPORATION,
5090 EXPLORER DRIVE,
SUITE 203, MISSISSAUGA,
ONTARIO, L4W 4T9

AMOUNT: ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00).

WE HEREBY AUTHORIZE YOU TO DRAW ON BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, FOR THE ACCOUNT OF EASTERN MEAT SOLUTIONS INC. ON BEHALF OF SIERRA REALTY CALGARY CORPORATION UP TO AN AGGREGATE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND 00/100'S CANADIAN DOLLARS (CAD1,500,000.00), AVAILABLE WITH OURSELVES, ON DEMAND, BY PAYMENT, AGAINST PRESENTATION OF THE DOCUMENT(S) DETAILED HEREIN.

1. BENEFICIARY'S CERTIFICATE, ON ITS LETTERHEAD, COMPLETED, DATED AND PURPORTEDLY SIGNED BY AN AUTHORIZED INDIVIDUAL STATING:

"THE TENANT SIERRA REALTY CALGARY CORPORATION HAS FAILED TO FULFILL ITS OBLIGATIONS PURSUANT TO THE LEASE AGREEMENT ENTERED INTO BETWEEN SIERRA REALTY CALGARY CORPORATION AS TENANT AND SIERRA WINDS BUSINESS PARK INC., AS LANDLORD FOR THE LEASE PREMISES DESCRIBED AS PLAN 1910413 BLOCK 1 LOT 1 DATED MARCH 10, 2023, AS MAY BE AMENDED, SUPPLEMENTED OR RESTATED FROM TIME TO TIME. THEREFORE, WE ARE DRAWING FOR CAD....., UNDER LETTER OF CREDIT NO BMT06972210S. PLEASE WIRE PROCEEDS TO:"

2. THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT FOR OUR ENDORSEMENT AND WILL BE RETURNED TO YOU UNLESS FULLY EXHAUSTED.

PRESENTATION OF YOUR DRAWING(S) UNDER THIS STANDBY LETTER OF CREDIT ARE RESTRICTED TO US. WE AGREE WITH YOU TO HONOR YOUR DRAWING(S) PRESENTED IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WHEN RECEIVED AT BANK OF MONTREAL, GLOBAL TRADE OPERATIONS, 250 YONGE STREET, 11TH FLOOR, TORONTO, ON M5B 2L7, ON OR BEFORE THE THEN CURRENT EXPIRATION DATE.

719



DRAWINGS BY FACSIMILE ARE PERMITTED. SUCH DRAWINGS (S) SHALL BE MADE TO FACSIMILE NUMBER 416-598-6075 (EACH SUCH DRAWING, A "FAX DRAWING"); PROVIDED, HOWEVER, THAT A FAX DRAWING WILL NOT BE EFFECTIVELY PRESENTED UNTIL YOU CONFIRM BY TELEPHONE OUR RECEIPT OF SUCH FAX DRAWING BY CALLING US AT TELEPHONE NUMBER 416-598-6112. IF YOU PRESENT A FAX DRAWING UNDER THIS LETTER OF CREDIT YOU DO NOT NEED TO PRESENT THE ORIGINAL OF ANY DRAWING DOCUMENTS, AND IF WE RECEIVE ANY SUCH ORIGINAL DRAWING DOCUMENTS THEY WILL NOT BE EXAMINED BY US. IN THE EVENT OF A FULL AND FINAL DRAWING THE ORIGINAL STANDBY LETTER OF CREDIT MUST BE RETURNED TO US BY OVERNIGHT COURIER.

THE AMOUNT OF THIS STANDBY LETTER OF CREDIT MAY ONLY BE REDUCED BY DRAWINGS ENDORSED HEREON OR AS ADVISED BY NOTICE IN WRITING TO US BY YOU.

TERMS OF THIS STANDBY LETTER OF CREDIT WILL CONTINUE UP TO NOVEMBER 19, 2024 AND WILL EXPIRE AT OUR COUNTERS ON THAT DATE AND YOU MAY CALL FOR PAYMENT OF THE FULL AMOUNT OUTSTANDING UNDER THIS LETTER OF CREDIT AT ANY TIME PRIOR TO THAT DATE SUBJECT TO THE FOLLOWING:

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PARTIAL DRAWINGS ARE PERMITTED.

THIS LETTER OF CREDIT IS TRANSFERABLE ONE OR MORE TIMES, BUT IN EACH INSTANCE ONLY IN THE FULL AMOUNT AVAILABLE TO BE DRAWN UNDER THIS LETTER OF CREDIT AT THE TIME OF SUCH TRANSFER. ANY SUCH TRANSFER MAY BE EFFECTED ONLY THROUGH BANK OF MONTREAL, AND ONLY UPON PRESENTATION TO US AT OUR PRESENTATION OFFICE SPECIFIED HEREIN OF A DULY EXECUTED TRANSFER REQUEST IN THE FORM ATTACHED HERETO AS EXHIBIT "A", WITH INSTRUCTIONS THEREIN IN BRACKETS COMPLIED WITH, TOGETHER WITH THE ORIGINAL OF THIS LETTER OF CREDIT AND AMENDMENT(S) THERETO. EACH TRANSFER SHALL BE EVIDENCED BY OUR ENDORSEMENT ON THE REVERSE OF THE ORIGINAL OF THIS LETTER OF CREDIT, AND WE SHALL DELIVER SUCH ORIGINAL TO THE TRANSFEREE. THE TRANSFEREE'S NAME SHALL AUTOMATICALLY BE SUBSTITUTED FOR THAT OF THE BENEFICIARY WHEREVER SUCH BENEFICIARY'S NAME APPEARS WITHIN THIS LETTER OF CREDIT. NOTWITHSTANDING ANY OTHER TERMS HEREIN, A TRANSFER MUST COMPLY WITH ALL APPLICABLE LAWS, INCLUDING INTERNATIONAL TRADE SANCTIONS AND ANTI-MONEY LAUNDERING REGULATIONS.

THIS STANDBY LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES 1998 ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 590.

720



BANK OF MONTREAL

AUTHORIZED SIGNING OFFICER

Aloysiouse Palihakkarage Don

ORIGINAL

721



THIS IS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. BMT06972210S AND MUST BE ATTACHED THERETO.

EXHIBIT "A" - REQUEST FORM FOR FULL TRANSFER

(TRANSFER FORM TO BE PREPARED ON BENEFICIARY'S COMPANY LETTERHEAD)

DATE:

AMOUNT:

ISSUING BANK'S REFERENCE: BMT06972210S

FOR VALUE RECEIVED, THE UNDERSIGNED BENEFICIARY HEREBY IRREVOCABLY TRANSFERS TO:

NAME OF TRANSFEREE:

ADDRESS OF TRANSFEREE:

OTHER TRANSFEREE INFORMATION:

ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY TO DRAW UNDER THE ABOVE LETTER OF CREDIT UP TO ITS AVAILABLE AMOUNT AS OF THE DATE OF THIS TRANSFER, AS SHOWN ABOVE.

BY THIS TRANSFER, ALL RIGHTS OF THE UNDERSIGNED BENEFICIARY IN SUCH STANDBY LETTER OF CREDIT ARE TRANSFERRED TO THE TRANSFEREE, AND THE TRANSFEREE SHALL HAVE THE SOLE RIGHTS AS BENEFICIARY THEREOF, INCLUDING SOLE RIGHTS RELATING TO ANY AMENDMENTS NOW EXISTING OR HEREAFTER MADE. ALL AMENDMENTS ARE TO BE ADVISED DIRECTLY TO THE TRANSFEREE WITHOUT NECESSITY OF ANY CONSENT OR NOTICE TO THE UNDERSIGNED BENEFICIARY.

THE ORIGINAL OF THIS STANDBY LETTER OF CREDIT IS RETURNED HERewith, TOGETHER WITH ANY AND ALL AMENDMENTS, AND WE ASK YOU TO TRANSFER THE LETTER OF CREDIT AND FORWARD IT DIRECTLY TO THE TRANSFEREE WITH YOUR NOTICE OF TRANSFER.

WE CERTIFY THAT THE TRANSFEREE HAS ACQUIRED BENEFICIARY'S RIGHTS AND OBLIGATIONS IN THE UNDERLYING RELATIONSHIP.

ENCLOSED IS OUR REMITTANCE OF CAD335.00 BEING TRANSFER FEE OF CAD300.00 PLUS CAD35.00 COURIER FEE IN PAYMENT OF YOUR TRANSFER COMMISSION, AND IN ADDITION THERETO WE AGREE TO PAY YOU ON DEMAND ANY EXPENSES WHICH MAY BE INCURRED BY YOU IN CONNECTION WITH THIS TRANSFER.

SIGNATURE AUTHENTICATION:

BENEFICIARY'S NAME AS PER L/C:

722



AUTHORISED SIGNATURE (S) OF BENEFICIARY:

SIGNATURE AUTHENTICATED BY:

(BANK OR NOTARY AUTHORIZED SIGNATURE NAME AND TITLE):

ORIGINAL

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF EASTERN MEAT SOLUTIONS INC., SIERRA CUSTOM FOODS INC., SIERRA SUPPLY CHAIN SERVICES INC., SIERRA REALTY CORPORATION, RVB HOLDINGS INC., VANDEN BROEK HOLDINGS (2008) INC., SIERRA REALTY CALGARY CORPORATION AND EASTERN MEAT SOLUTIONS (USA) CORP.

Court File No. CV-24-00720622-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

PROCEEDING COMMENCED AT
TORONTO

**AFFIDAVIT OF CHRISTOPHER DROBOT
(Affirmed February 20, 2025)**

Paliare Roland Rosenberg Rothstein LLP
155 Wellington Street West, 35th Floor
Toronto, ON M5V 3H1

Jeffrey Larry (LSO# 44608D)
Tel.: 416.646.4330
E: jeff.larry@paliareroland.com

Douglas Montgomery (LSO# 78082M)
Tel: 416.646.6313
Email: douglas.montgomery@paliareroland.com

**Lawyers for Sierra Winds Business Park Inc.
and Woolsey Equities Inc.**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF EASTERN MEAT SOLUTIONS INC., SIERRA CUSTOM FOODS INC., SIERRA SUPPLY CHAIN SERVICES INC., SIERRA REALTY CORPORATION, RVB HOLDINGS INC., VANDEN BROEK HOLDINGS (2008) INC., SIERRA REALTY CALGARY CORPORATION AND EASTERN MEAT SOLUTIONS (USA) CORP.

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PROCEEDING COMMENCED AT
TORONTO

**RESPONDING MOTION RECORD
(Returnable March 25, 2025)
(VOLUME 2 OF 2)**

Paliare Roland Rosenberg Rothstein LLP
155 Wellington Street West, 35th Floor
Toronto, ON M5V 3H1

Jeffrey Larry (LSO# 44608D)
Tel.: 416.646.4330
E: jeff.larry@paliareroland.com

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Tel: 416.646.6313
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