

IN THE COURT OF APPEAL

BETWEEN:

LINCOLN WOLFE and 5606269 MANITOBA LTD.,

(Applicants) Respondents,

-and-

DUANNE TAYLOR and 5608067 MANITOBA LTD.,

(Respondents) Appellants,

-and-

TAYLOR BROS. FARM LTD. and EDWIN POTATO GROWERS LTD.,

(Respondents).

CERTIFICATE OF DECISION



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File No. 0056074.00008

IN THE COURT OF APPEAL

THE HONOURABLE MADAM JUSTICE BEARD)
THE HONOURABLE MADAM JUSTICE PFUETZNER)
THE HONOURABLE MADAM JUSTICE LEMAISTRE)
JUDGES OF APPEAL)
BETWEEN:)

Wednesday, the
15th day of
September, 2021

LINCOLN WOLFE and 5606269 MANITOBA LTD.,

(Applicants) Respondents,

-and-

DUANNE TAYLOR and 5608067 MANITOBA LTD.,

(Respondents) Appellants,

-and-

TAYLOR BROS. FARM LTD. and EDWIN POTATO GROWERS LTD.,

(Respondents).

CERTIFICATE OF DECISION

The appeal of the Appellants from the Order of the Honourable Mr. Justice Toews of the Court of Queen's Bench, Winnipeg Centre, pronounced on the 25th day of January, 2021, was heard by this Court on this day in the presence of counsel for the Appellants, counsel for the Respondents, Lincoln Wolfe and 5606269 Manitoba Ltd., counsel for the court-

appointed Liquidator of the assets, undertakings and property of Taylor Bros. Farm Ltd. ("TBF") and Edwin Potato Growers Ltd. ("EPG"), Deloitte Restructuring Inc. (the "Liquidator") and counsel for Pitblado LLP ("Pitblado") and, after considering the Record and the facts, and upon hearing the submissions of counsel, with written reasons delivered on the 29th day of September, 2021, this Court did order:

1. That the appeal of the Appellants be and hereby is dismissed;
2. That the Appellants Duanne Taylor and 5608067 Manitoba Ltd. shall pay to the estates of EPG and TBF the costs associated with this Appeal fixed in the amount of \$6,828.08, payable forthwith;
3. That the Appellants Duanne Taylor and 5608067 Manitoba Ltd. shall pay to Lincoln Wolfe and 5606269 Manitoba Ltd. the costs associated with this Appeal fixed in the amount of \$6,750.00; and
4. That the Appellants Duanne Taylor and 5608067 Manitoba Ltd. shall pay to Pitblado LLP costs associated with this appeal fixed in the amount of \$1,000.00.

CERTIFIED this 25th day of November, 2021

" J. LONEC "

Deputy Registrar of
The Court of Appeal

CONSENT AS TO FORM:

FAST TRIPPIER CLUNIE WITTMAN SANTOS LLP

Per: 

Faron Trippier / Irina Vakurova

Lawyers for the Appellants, Duanne Taylor and 5608067 Manitoba Ltd.

CONSENT AS TO FORM:

THOMPSON DORFMAN SWEATMAN LLP

Per: 

Ross A. McFadyen

Lawyers for Lincoln Wolfe, 5606269 Manitoba Ltd. and R.L. Wolfe Ltd.

CONSENT AS TO FORM:

PITBLADO LLP

Per: 

Thomas Turner

Lawyers for Pitblado LLP