

THE QUEEN'S BENCH  
WINNIPEG CENTRE

BETWEEN:

LINCOLN WOLFE and 5606269 MANITOBA LTD.,

Applicants,

- and -

DUANNE TAYLOR and 5608067 MANITOBA LTD.,  
TAYLOR BROS. FARM LTD. and EDWIN POTATO GROWERS LTD.

Respondents.

APPLICATION UNDER section 207 of *The Corporations Act*, C.C.S.M. c. C225

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**ORDER**

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**File No. 0056074.00008**

Box No. 3

THE QUEEN'S BENCH  
WINNIPEG CENTRE

THE HONOURABLE	)	TUESDAY, THE 16 <sup>th</sup>
	)	
MR. JUSTICE TOEWS	)	DAY OF FEBRUARY, 2021

BETWEEN:

LINCOLN WOLFE and 5606269 MANITOBA LTD.,

Applicants,

- and -

DUANNE TAYLOR and 5608067 MANITOBA LTD.,  
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ORDER

THIS MOTION, made by the Respondents Duanne Taylor and 5608067 Manitoba Ltd., for an order, *inter alia*, granting leave to the Respondents to commence an action against Deloitte Restructuring Inc., the court-appointed liquidator (the "**Liquidator**") of the assets, undertakings and property of Taylor Bros. Farm Ltd. ("**TBF**") and Edwin Potato Growers Ltd. ("**EPG**") was heard this day *via* teleconference.

ON READING the Notice of Motion of the Respondents Duanne Taylor and 5608067 Manitoba Ltd. dated September 4, 2020, the Affidavit of Duanne Taylor sworn April 4, 2018, the Affidavit of Duanne Taylor sworn September 3, 2020, the Affidavit of Carmen Balzer sworn December 7, 2020, the Affidavit of Lynnsay Currie sworn January 8, 2021,

and the Compendium of the Liquidator Volumes 1 and 2, filed February 9, 2021, and on hearing the submissions of counsel for the Liquidator, counsel for the Respondents, Duanne Taylor and 5608067 Manitoba Ltd., counsel for Applicants and R.L. Wolfe Ltd., and counsel for Pitblado LLP, no one appearing for any other person.

1. THIS COURT ORDERS that the Motion of the Respondents Duanne Taylor and 5608067 Manitoba Ltd. for leave to commence an action against the Liquidator be and is hereby dismissed.
2. THIS COURT ORDERS that the Liquidator shall be entitled to its costs in accordance with the Order (Appointing Liquidator) pronounced on April 28, 2017 from the estates of EPG and TBF.
3. THIS COURT ORDERS that the Respondents Duanne Taylor and 5608067 Manitoba Ltd. shall, jointly and severally, pay to the estates of EPG and TBF the costs associated with this Motion based upon the solicitor and client costs of the Liquidator, payable in any event of the cause.
4. THIS COURT ORDERS that the Respondents Duanne Taylor and 5608067 Manitoba Ltd. shall pay to the Applicants and R.L. Wolfe Ltd., the costs associated with this Motion fixed in the amount of \$4,900.00, payable in any event of the cause.
5. THIS COURT ORDERS that the Respondents Duanne Taylor and 5608067 Manitoba Ltd. shall pay to Pitblado LLP, the costs associated with this Motion fixed in the amount of \$4,900.00, payable in any event of the cause.

April 21, 2021

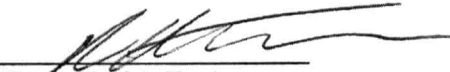
**V.E. TOEWS**

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TOEWS, J.

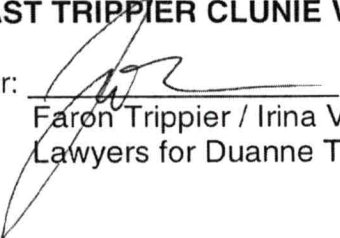
CONSENT AS TO FORM:

**THOMPSON DORFMAN SWEATMAN LLP**

Per:   
Ross A. McFadyen  
Lawyers for Lincoln Wolfe, 5606269 Manitoba Ltd. and R.L. Wolfe Ltd.

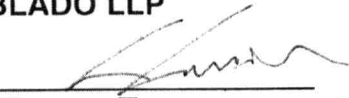
CONSENT AS TO FORM:

**FAST TRIPPIER CLUNIE WITTMAN SANTOS LLP**

Per:   
Faron Trippier / Irina Vakurova  
Lawyers for Duanne Taylor and 5608067 Manitoba Ltd.

CONSENT AS TO FORM:

**PITBLADO LLP**

Per:   
Thomas Turner  
Lawyers for Pitblado LLP