

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

ORDER

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File No. 0056074.00008

Box No. 3

THE QUEEN'S BENCH
WINNIPEG CENTRE

THE HONOURABLE
MR. JUSTICE TOEWS

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TUESDAY, THE 18th
DAY OF FEBRUARY, 2021

BETWEEN:

LINCOLN WOLFE and 5606269 MANITOBA LTD.,

Applicants,

- and -

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THIS MOTION, made by Deloitte Restructuring Inc. in its capacity as the court-appointed liquidator (the "**Liquidator**") of the assets, undertakings and property of Taylor Bros. Farm Ltd. ("**TBF**") and Edwin Potato Growers Ltd. ("**EPG**") for the advice and directions of this Honourable Court in respect of whether the claim (the "**Taylor Claim**"), filed by Duanne Taylor in the claims process of EPG (the "**EPG Claims Process**"), is subject to the review and determination by the EPG Claims Officer was heard this day *via* teleconference.

ON READING the Order pronounced November 21, 2017, the Order pronounced May 28, 2018, the Affidavit of Duanne Taylor sworn March 4, 2015 in Queen's Bench File No.

CI 15-01-94251, the Affidavit of Duanne Taylor sworn November 17, 2017, the Notice of Motion of the Liquidator filed January 26, 2021, the Affidavit of Jennifer Allen sworn February 8, 2021, and the Fifth Report of the Liquidator dated February 8, 2021, and on hearing the submissions of counsel for the Liquidator, counsel for the Respondents, Duanne Taylor and 5608067 Manitoba Ltd., counsel for the Applicants and R.L. Wolfe Ltd., and counsel for Pitblado LLP who was present, but did not make any submissions, no one appearing for any other person.

1. THIS COURT ORDERS AND DECLARES that the review and determination of the Taylor Claim is within the jurisdiction of the EPG Claims Officer.
2. THIS COURT ORDERS AND DECLARES that the Taylor Claim shall be reviewed and determined by the EPG Claims Officer in accordance with the EPG Claims Process approved by Orders of this Court respectively pronounced November 21, 2017 and May 28, 2018.
3. THIS COURT ORDERS that the Liquidator shall be entitled to its costs in accordance with the Order (Appointing Liquidator) pronounced April 28, 2017.

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.

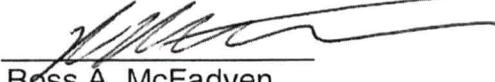
April 21, 2021

V.E. TOEWS

TOEWS, J.

CONSENT AS TO FORM:

THOMPSON DORFMAN SWEATMAN LLP

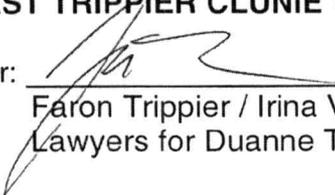
Per: 

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

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