

COURT FILE NUMBER QBG 40 of 2019

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN
IN BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE YORKTON

IN THE MATTER OF THE RECEIVERSHIP OF
EMW INDUSTRIAL LTD., EMW INDUSTRIAL INC., E&S MORRISON FAMILY
HOLDINGS LTD., PEPPER MAINTENANCE CANADA (2005) INC., EMW
HOLDINGS LTD., and EMW REAL ESTATE CO. LTD.

ORDER

Before the Honourable Mr. Justice D.H. Layh in Chambers the 11th day of February,
2020.

Upon the application of Deloitte Restructuring Inc. (the "Receiver"), in its capacity as the court-appointed receiver of all of the personal property of the debtors, EMW Industrial Ltd., EMW Industrial Inc., E&S Morrison Family Holdings Ltd., Pepper Maintenance Canada (2005) Inc., EMW Holdings Ltd., and EMW Real Estate Co. Ltd. (collectively, the "Debtors"), and upon hearing from Michael W. Milani, Q.C., counsel on behalf of the Receiver, and upon reading the Notice of Application dated January 28, 2020, the Third Report of the Receiver (the "Third Report") and a proposed draft Order, all filed; and the pleadings and proceedings taken herein:

The Court Orders:

SERVICE

1. Service of the Notice of Application on behalf of the Receiver and the materials filed in support thereof (collectively, the "Application Materials") shall be and is hereby deemed to be good and valid and, further, shall be and is hereby abridged, such that service of such Application Materials is deemed to be timely and sufficient and the application itself properly returnable at 11:00 a.m. on February 11, 2020.

RECEIVER'S ACTIONS, RECEIPTS, AND DISBURSEMENTS

2. The Receiver's activities, fees, receipts, disbursements, and proposed courses of action, including the Receiver and its legal counsel's fees and disbursements outlined in the Third Report of the Receiver (the "Third Report") and the Receiver's Interim Statement of Receipts and Disbursements, in relation to the discharge of its mandate as receiver of the Property, are hereby approved.

DISTRIBUTION OF SALE PROCEEDS

3. The Receiver is hereby authorized and directed to distribute funds realized by the Receiver to The Toronto-Dominion Bank, from the sale of property that was collateral secured by security held by The Toronto-Dominion Bank, up to the amount of the indebtedness owed to The Toronto-Dominion Bank.

MISCELLANEOUS MATTERS

4. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, and the Registrars of the Personal Property Registries to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies, and Registrars are hereby respectfully requested to make such orders and take such actions as to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.
5. Service of this Order on any party not attending this application is hereby dispensed with. Parties attending this application shall be served in accordance with the Electronic Case Information and Service Protocol adopted in the Receivership Order.

ISSUED at Yorkton, Saskatchewan, this 12th day of February, 2020.

Riana Skikewich

(Deputy) Local Registrar

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CONTACT INFORMATION AND ADDRESS FOR SERVICE

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