

COURT FILE NO. 1901-03824
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF ROYAL BANK OF CANADA
DEFENDANTS SURFACE PRO SERVICES INC., ATKINS KUNTZ
CONSTRUCTION GROUP INC., 2049829 ALBERTA INC.,
DOUGLAS ATKINS, DAVID KUNTZ and ROGER
LEADER



IN THE MATTER OF THE RECEIVERSHIP OF
SURFACE PRO SERVICES INC., ATKINS KUNTZ
CONSTRUCTION GROUP INC. and 2049829 ALBERTA
INC.

APPLICANT DELOITTE RESTRUCTURING INC. in its capacity as Court-
appointed receiver and manager of the assets, undertakings and
properties of SURFACE PRO SERVICES INC., ATKINS
KUNTZ CONSTRUCTION GROUP INC. and 2049829
ALBERTA INC.

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS
DOCUMENT Torys LLP
4600 Eighth Avenue Place East
525 - Eighth Ave SW
Calgary, AB T2P 1G1

Attention: Kyle Kashuba
Telephone: + 1 403.776.3744
Fax: +1 403.776.3800
Email: kkashuba@torys.com
File No. 39279-2002

I hereby certify this to be a true copy of
the original order

Dated this 12 day of March, 2020

for Clerk of the Court

DATE ON WHICH ORDER WAS PRONOUNCED: March 11, 2020

NAME OF JUSTICE WHO MADE THIS ORDER: Mr. Justice P.R. Jeffrey

LOCATION OF HEARING: Calgary, Alberta

UPON THE APPLICATION of Deloitte Restructuring Inc. in its capacity as the Court-
appointed receiver and manager (the “**Receiver**”) of the assets, undertakings and properties of Surface
Pro Services Inc., Atkins Kuntz Construction Group Inc. and 2049829 Alberta Inc. (collectively, the
“**Debtors**”) for an Order for the final distribution of proceeds, approval of the Receiver’s fees and
disbursements, approval of the Receiver’s activities and discharge of the Receiver; **AND UPON**

HAVING READ the Receivership Order dated March 19, 2019, the fourth report of the Receiver filed March 2, 2020 (the “**Fourth Report**”), and the Affidavit of Service, to be filed (the “**Affidavit of Service**”), and the unfiled Affidavit of Douglas Atkins dated March 11, 2020; **AND UPON HEARING** the submissions of counsel for the Receiver, counsel for Royal Bank of Canada (“**RBC**”) Douglas Atkins and David Kuntz, with no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Service; **AND UPON** hearing the application of Douglas Atkins for an adjournment of the Receiver’s Application:

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

1. Service of notice of this Application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this Application.
2. The Receiver’s Application shall be adjourned for 4 weeks, provided that Douglas Atkins and/or David Kuntz post, either individually or collectively as security for costs, the sum of \$50,000, which sum shall be paid into court to the credit of these proceedings, by the close of business on Friday, March 13, 2020. No portion of the said funds shall be disbursed until further Order of the Court.
3. In the event that the sum referenced in paragraph 2 of this Order is not paid as required, the continuation of the Receiver’s Application shall be heard on Wednesday, March 18, 2020 at 3:00 p.m.
4. In the further event that the sum referenced in paragraph 2 of this Order is not paid, until the continuation of the Receiver’s Application is heard on Wednesday, March 18, 2020, the Receiver shall not be required to incur costs or take additional steps in the within proceedings unless such costs or steps would have been required in the ordinary course of its discharge.
5. Rule 9.2(4)(c) of the *Alberta Rules of Court* shall apply to this Order.
6. This Order must be served only upon those interested parties attending or represented at the within Application and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
7. Service of this Order on any party not attending this Application is hereby dispensed with.

“JUSTICE P.R. JEFFREY”
Justice of the Court of Queen’s Bench of Alberta