


Westmount and other parties appearing at the within application on October 27, 2023, with decision reserved and issued as 2023 ABKB 619 (the “**Decision**”);

AND UPON having read the Order of Justice J. Little dated September 8, 2023 (“**September 8, 2023 Order**”) and the Order of Justice J. Little dated October 6, 2023 (“**October 6, 2023 Order**”); and

AND UPON having heard the cross application of Westmount to modify the terms of the September 8, 2023 Order and have the Anderson and AAFC mortgages discharged.

IT IS HEREBY ORDERED THAT:

1. Westmount is hereby adjudged bankrupt.
2. Deloitte Restructuring Inc. (the “**Trustee**”), of the City of Calgary, in the Province of Alberta, is appointed as trustee of Westmount.
3. The bankruptcy shall not stay the receivership proceedings in Court of King’s Bench of Alberta Action 2301 04941.
4. The bankruptcy shall not stay the following seizure proceedings by Canadian Western Bank in Court of King’ Bench of Alberta Action #2303 -13954.
5. The Trustee shall not be required to give security in cash or by bond, in accordance with subsection 16(1) of the BIA.
6. The cross application of Westmount to modify the terms of the September 8, 2023 Order is dismissed.
7. The bankruptcy shall not stay the foreclosure/legal proceedings set out in Schedule “A”.
8. Costs of this Application will be addressed by separate Order.


Justice Court of Kings Bench of Alberta

Approved as to Form and Content:

Anderson Morin LLP
Counsel for Westmount Projects Inc

Per: 
Norman Anderson

Dentons Canada LLP
Counsel for Deloitte Restructuring Inc.

Per: 
Afshan Naveed/John Regush

Schedule "A"

| | Legal | municipal | Creditor | Legal action |
|----|------------------------------|---|------------|--------------|
| 1 | Plan B1, Block 35, Lot 12 | 303 23 rd Ave SW, Cal (Gloria) | BMO | 2301 04941 |
| | | | Horizon | 2303 00958 |
| 2 | Plan 4479P Block 9 Lot 18-20 | 1538 27 th Ave, Calgary (Mardi Loop 6 plex) | BMO | 2301 04941 |
| | | | Horizon | 2303 00958 |
| 3 | Condo 2011798 Unit 1 | 2617 12 th Ave SE, Calgary | BMO | 2301 04941 |
| | | Albert Park | Horizon | 2303 00958 |
| 4 | Condo 2011798 Unit 2 | 2617 12 th Ave SE, Calgary | BMO | 2301 04941 |
| | | Albert Park | Horizon | 2303 00958 |
| 5 | Condo 2011798 Unit 3 | 2617 12 th Ave SE, Calgary | BMO | 2301 04941 |
| | | Albert Park | Horizon | 2303 00958 |
| 6 | Condo 2011798 Unit 4 | 2617 12 th Ave SE, Calgary | BMO | 2301 04941 |
| | | Albert Park | Horizon | 2303 00958 |
| 7 | Plan 4479P Block 2 Lot 17 | 2234 27 th Ave Calgary | Quadrum | 2301 04913 |
| 8 | Plan 4479P Block 2 Lot 16 | 2232 27 th Ave Calgary | Quadrum | 2301 04913 |
| 9 | Plan 5472 HP B1 (A) | 1722 44 th St Calgary | 1401946 BC | 2301 10276 |
| 10 | Plan 5472 HP B1 (B) | 1726 44 th St Calgary | 1401946 BC | 2301 10275 |
| 11 | Condo 1011382 Unit 17 | 511, 888 4 th Ave SE, Calgary-office | ATB | 2301 07264 |
| 12 | Condo 1011382 Unit 178 | 511, 888 4 th Ave SE, Calgary | ATB | 2301 07264 |
| 13 | Condo 1710943 Unit 1 | #1-3522 14A St SW, Calgary | CIBC | 2301 06566 |
| 14 | Condo 1710943 Unit 2 | #1-3522 14A St SW, Calgary | CIBC | 2301 06570 |
| 15 | Condo 1710943 Unit 3 | #1-3522 14A St SW, Calgary | CIBC | 2301 06572 |
| 16 | Condo 1710943 Unit 4 | #1-3522 14A St SW, Calgary | CIBC | 2301 06714 |
| 17 | Plan 5661 O B1; 35-40 | 1902,1906,1910 24A St SW, Calgary | AP Capital | 2310 01013 |
| 18 | Plan 5386 L B1 C Lots 30+31 | 711 5 th St NE, Calgary | Calvert | 2301 01500 |
| 19 | Plan 5386 L B1 C Lots 30+31 | 711 5 th St NE, Calgary | Guo | 2101 12811 |
| 20 | Plan 4367X B1 9E Lots 33-34 | 2628 36 th St SW Calgary | Calvert | 2301 02785 |
| 21 | Chattels | | CWB | 2303 13954 |