

COURT FILE NUMBER 1501-00955
COURT COURT OF QUEEN'S BENCH
JUDICIAL CENTRE CALGARY



IN THE MATTER OF THE *COMPANIES' CREDITORS*
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, as amended

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF LUTHERAN CHURCH – CANADA, THE
ALBERTA – BRITISH COLUMBIA DISTRICT, LUTHERAN
CHURCH-CANADA, THE ALBERTA-BRITISH COLUMBIA
DISTRICT INVESTMENTS LTD., ENCHARIS COMMUNITY
HOUSING AND SERVICES AND ENCHARIS MANAGEMENT
AND SUPPORT SERVICES

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

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Date on which Order was pronounced: August 24, 2020
Location where Order was pronounced: Calgary, Alberta
Name of Justice who made this Order: B.E.C. Romaine

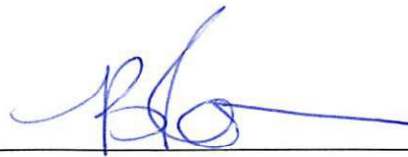
UPON HEARING the Application of the Lutheran Church - Canada, the Alberta - British Columbia District (the “**District**”), Encharis Community Housing and Services (“**ECHS**”), Encharis Management and Support Services (“**EMSS**”), and the Lutheran Church – Canada, the

Alberta – British Columbia District Investments Ltd. (“**DIL**”) (together, the “**Applicants**”); **AND UPON HAVING READ** the 39th Report of the Monitor and other pleadings and materials filed in these proceedings; **AND UPON HEARING** submissions from counsel for the Applicants and the Monitor;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Service of notice of the Application for this Order, and all supporting materials respecting the Application, is hereby declared to be good and sufficient, and no other person is required to have been served with notice of the Application for this Order, and the time for service of the Application for this Order is abridged to the time actually given.
2. The District is hereby authorized and directed to add the unclaimed prior interim distributions totalling \$26,000 (the “**Unclaimed Distributions**”) to the pool of funds to be distributed as part of the Final District Distribution (as defined herein).
3. The District is hereby authorized and directed to make a final cash distribution to creditors of the District (the “**Final District Distribution**”) in accordance with the Fifth Amended Plan of Compromise and Arrangement of Lutheran Church-Canada, the Alberta-British Columbia District dated June 10, 2016 (the “**District Plan**”), which Final District Distribution shall include the following amounts, as more particularly described in paragraph 22 of the Supplement to the Thirty-Ninth Report of the Monitor:
 - (a) the net proceeds from the sale of the property municipally described as 157 Tuscany Summit Health NW (the “**Tuscany Proceeds**”);
 - (b) the settlement funds paid to the Monitor pursuant to the settlement agreement dated September 11, 2019, entered into between the Alberta Securities Commission, as applicant, and the District, DIL, Donald Robert Schiemann, Kurtis Francis Robinson, James Theodore Kentel, Mark David Ruf, and Harold Carl Schmidt, as respondents (the “**ASC Settlement Funds**”);
 - (c) the CEF funds which include the \$26,000 in Unclaimed Distributions; and

- (d) the cash and cash equivalents held in the brokerage account referred to in paragraph 22 of the Supplement to the Thirty-Ninth Report of the Monitor.
4. The District is hereby authorized and directed to pay to Sage Properties Corp. (“**Sage**”) any amounts distributed pursuant to the Final District Distribution that are that are unclaimed within 90 calendar days of the Final District Distribution (the “**Unclaimed Final Distributions**”).
 5. Upon receipt of the Undistributed Holdback (as defined in the Thirty-Ninth Report of the Monitor), the District shall distribute any or all of the Undistributed Holdback as follows: 25.61% to Foothills Lutheran Church of Calgary and 74.39% to Sage.
 6. The District is hereby authorized and directed to transfer ownership of 250,000 fixed income bonds in Lakeview Real Estate Investment Trust from the District to Sage.
 7. The District is hereby authorized and directed to take such additional steps and execute such additional documents and agreements as may be necessary to complete all of the actions referred to in this Order.



The Honourable Madam Justice B.E.C. Romaine