

Clerk's stamp:

COURT FILE NUMBER	2301-04941
COURT	COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
PLAINTIFF	BANK OF MONTREAL
DEFENDANTS	WESTMOUNT PROJECTS INC., 2218923 ALBERTA LTD., 1975847 ALBERTA LTD., ANDERSON & ASSOCIATES FINANCIAL CORP., IRONCLAD PROJECTS LTD., GORDAN D. ANDERSON, AND DENI MARIO DANIEL ECHINO
DOCUMENT	<b><u>APPLICATION BY DELOITTE RESTRUCTURING INC., COURT-APPOINTED RECEIVER AND MANAGER FOR ACTIVITY AND FEE APPROVAL, APPROVAL OF DISTRIBUTION, AND DISCHARGE</u></b>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Dentons Canada LLP Bankers Court 15 <sup>th</sup> Floor, 850 - 2 <sup>nd</sup> Street S.W. Calgary, Alberta T2P 0R8 Attn: John Regush Ph. (403) 268-7086 File No.: 569588-14

**NOTICE TO RESPONDENTS:** Service List attached as Schedule "A"

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the master/judge.

To do so, you must be in Court when the application is heard as shown below:

Date	April 23, 2024
Time	11:30 a.m.
Where	Edmonton Law Courts <b>VIA WEB-EX at the coordinates attached as Schedule "B"</b>
Before Whom	The Honourable Justice Lema

Go to the end of this document to see what else you can do and when you must do it.

**Remedy claimed or sought:**

1. Deloitte Restructuring Inc. ("**Deloitte**") Court-appointed receiver and manager ("**Receiver**") of certain of the assets, properties, and undertakings of Westmount Projects Inc. ("**Westmount**" or the "**Debtor**") as more particularly described in the Receivership Order – Westmount Projects Inc. pronounced on May 15, 2023 in the within proceedings (the "**Receivership Order**") seeks an Order, substantially in the form attached as Schedule "C" hereto:
  - (a) abridging, if necessary, the time for service of this application and deeming service good and sufficient;
  - (b) approving the activities of the Receiver, as set out in the Third Report of the Receiver dated November 15, 2023, the Confidential Supplement to the Third Report of the Receiver dated November 15, 2023, and the Fourth Report of the Receiver dated April 15, 2024 and payment of the accounts of the Receiver and its legal counsel, Dentons Canada LLP, without the necessity of a formal passing of accounts or assessment;
  - (c) approving distribution of the Mortgaged Property Proceeds and SN Property Proceeds (as defined below);
  - (d) approving the Mortgaged Property Proceeds Holdback and SN Property Proceeds Holdback (as defined below) and distribution of the Mortgaged Property Proceeds Residual and SN Property Proceeds Residual (as defined below);
  - (e) authorizing for the Receiver to provide to Westmount's trustee in bankruptcy Westmount's remaining corporate books and records;
  - (f) ordering the discharge of the Receiver with respect to Westmount; and
  - (g) granting such further and other relief as this Honourable Court may deem appropriate.

**Grounds for making this application:**

**(a) Receivership Proceedings**

2. On April 27, 2023, Deloitte was appointed by an Order (the "**Interim Receiver of Rents Order**") of the Court of King's Bench of Alberta (the "**Court**") as the Interim Receiver of Rents (the "**Rent Receiver**"), without security, to collect rents for five (5) specific parcels of real property owned by the Debtor (the "**Properties**"), and certain property owned by 2218923 Alberta Ltd. ("**221 Alberta**"), and 1975847 Alberta Ltd. ("**197 Alberta**").
3. The Interim Receiver of Rents Order was granted as a result of an application by Bank of Montreal ("**BMO**"), which has registered security interests in respect of the Properties. The relief sought in the application, except for the relief granted in respect of the Interim Receiver of Rents Order, was adjourned and the adjourned portions of the application were heard on May 10, 2023 and May 15, 2023.
4. On May 15, 2023 Deloitte was appointed by Orders of the Court (collectively, the "**Receivership Orders**") as receiver and manager of all of the assets, properties, and undertaking of 221 Alberta and 197 Alberta, and in respect of Westmount over the Mortgaged Property and Serial Number Property, each as defined in the Receivership Order pertaining to Westmount.

5. By decision of the Court rendered on November 3, 2023, Westmount was adjudged bankrupt and Deloitte was appointed as trustee in bankruptcy of Westmount.

**(b) Receiver's Activities**

6. The Receiver is seeking approval of its activities as set out in the Third Report, Confidential Supplement to the Third Report, and Four Report of the Receiver in respect of Westmount. The Receiver's activities as described in the First Report, Second Report, and Supplemental Report to the Second Report of the Receiver in respect of Westmount were approved by Order of this Honourable Court pronounced August 4, 2023.
7. The Receiver's activities are set out in detail in the Reports filed in these proceedings. Several of the key areas of activity are highlighted below.

**(i) Sales Process and Approval**

8. As detailed in the Third Report, the Receiver worked to get the Sales Process approved (over the unsuccessful objections of certain parties) and worked with the sales agent to conduct the Sales Process, including but not limited to populating the dataroom and negotiating with parties to finalize the transactions that were ultimately approved by the Court.
9. The Sales Process concluded successfully, and the Receiver is in possession of the net proceeds of sale, and proposes to distribute such net proceeds, as described further below.

**(ii) Compliance Order**

10. On application of the Receiver, this Honourable Court pronounced an Order on July 5, 2023, filed August 30, 2023, which obliged Westmount to provide certain property, information, and reporting to the Receiver and required Abdul Sattar and Farhan Sattar to take appropriate steps to cause Westmount to comply with these obligations (the "**Westmount Compliance Order**").
11. The Receiver served a copy of the Westmount Compliance Order on the service list (which included Westmount as well as its counsel).
12. The Receiver also personally served Farhan Sattar, and made efforts to personally serve Abdul Sattar, which were unsuccessful.
13. The Westmount Compliance Order has not been complied with in full, including but not limited to by reason that the security deposits referred to therein have not been provided to the Receiver, nor has an accounting of these funds been provided.
14. In light of the anticipated costs of taking further steps to achieve compliance and the intervening bankruptcy order against Westmount, the Receiver determined that taking further steps to obtain compliance with the Westmount Compliance Order would not be commercially reasonable or likely to be accretive to the property over which it was appointed.

**(iii) Security Deposits**

15. The Receiver was approached by two parties who asserted an entitlement to amounts in respect of security deposits stated to have been paid to Westmount prior to the appointment of the

Receiver and not repaid to the former tenants, whose tenancies terminated during the course of the Receivership.

16. The Receiver was not provided with any security deposit amounts in respect of the Mortgaged Property on its appointment, nor were such amounts provided pursuant to the Westmount Compliance Order.
17. The Receiver engaged in discussions with these parties, considered their asserted legal entitlement, and, in consideration of asserted legal entitlement and the quantum involved, the Receiver was able to resolve the asserted entitlements for payments with these parties by payment of certain amounts to these parties.

**(iv) Sale of Serial Number Property**

18. Westmount failed to deliver the Serial Number Property and consequently, the Receiver had to engage a bailiff to repossess the Serial Number Property.
19. The bailiff successfully recovered four (4) pieces of the Serial Number Property including: (i) 2016 GMC Sierra 1500, (ii) 2021 Cantra DT8314-14K, (iii) 2021 Forest River ORBL714TA2, and (iv) 2021 Cantra DT8314-14K and delivered these to Regal Auctions Ltd. to be sold through public auction (the "**Recovered Serial Number Property**").
20. The Serial Number Property also included four (4) 2021 Miller XTM 350 Welders (the "**Welders**") which were not recovered by the bailiff. The Receiver asked Farhan Sattar provide information on the Welders. Farhan Sattar advised the Receiver the Welders were sold prior to the receivership but has not provided any supporting documentation or given the Receiver the sale proceeds.
21. The Recovered Serial Number Property generated net proceeds of approximately \$55,600 (and the Receiver notes for clarity that given the approved sales thresholds in the Receivership Order, Court approval of the sales was not required).
22. The Receiver is in possession of the net proceeds of sale, and proposes to distribute such net proceeds, as described further below.

**(v) Conclusion on Activities**

23. It is the Receiver's respectful view that the Receiver has completed all duties in accordance with the Orders of this Honourable Court in these proceedings and applicable statutory duties and respectfully seeks this Honourable Court's approval of all of the Receiver's activities.
24. The Receiver is also seeking approval of its fees and the fees of its counsel, as set out in the Fourth Report and statements of receipts and disbursements attached thereto.
25. It is the Receiver's respectful view that its fees and the fees of its counsel are appropriate and reasonable, and should be approved by this Honourable Court.

**(c) *Sale of the Mortgaged Property and Proposed Distribution***

26. The Receiver marketed the Mortgaged Property pursuant to a sales process (the "**Sales Process**") approved by Order of this Honourable Court pronounced August 4, 2023.

27. As a result of the Sales Process, the Receiver was successful in obtaining offers for sale of the Mortgaged Property, which offers were approved by Orders of this Honourable Court pronounced November 22, 2023 (the “**SAVO Orders**”).
28. The sales approved by the SAVO Orders have now closed, and the Receiver holds the proceeds of such sales, less commissions and standard closing adjustments (the “**Mortgaged Property Proceeds**”).
29. The Receiver has considered potential claims to the Mortgaged Property Proceeds and proposes to distribute the Mortgaged Property Proceeds as follows:
  - (a) pay the amount of \$2,873,220 to BMO on account of its security over the Mortgaged Property;
  - (b) pay the amount of \$629,729 to Horizon Capital Corporation (“**Horizon**”) on account of its security over the Mortgaged Property; and
  - (c) hold back the amount of \$155,611 (the “**Mortgage Property Proceeds Holdback**”) in respect of outstanding and anticipated fees of the Receiver and its legal counsel (which it will apply rateably with the SN Property Proceeds Holdback).
30. The Receiver proposes to make payment of the Mortgage Property Proceeds Holdback on account of fees and disbursements, and in respect of fees and disbursements not yet incurred without the necessity of any further approval, taxation, or passing of accounts. After payment of these amounts, any amounts remaining from the Mortgage Property Proceeds Holdback (the “**Mortgage Property Proceeds Residual**”) shall be paid to Horizon.

***(d) Sale of the Serial Number Property and Proposed Distribution***

31. The Receiver is in possession of the proceeds of the sale of the Recovered Serial Number Property, less costs associated with the sale (the “**SN Property Proceeds**”).
32. Owing to the quantum of the SN Property Proceeds, the fact that this Honourable Court appointed the Receiver as Receiver over the Serial Number Property on application of BMO, and that searches of the Alberta Personal Property Registry by serial number for the Recovered Serial Number Property did not disclose any party other than BMO with a registration against the Recovered Serial Number Property by serial number, the Receiver did not consider it commercially reasonable in the circumstances to obtain a legal opinion with respect to the validity and priority of BMO’s interest in the SN Proceeds, and is proposing to distribute the SN Proceeds to BMO, up to the amount of indebtedness claimed by BMO as being secured by the Recovered Serial Number Property, in the amount of \$33,840.
33. The Receiver proposes to hold back the amount of \$8,190 (the “**SN Property Proceeds Holdback**”) from the SN Proceeds in respect of outstanding and anticipated fees of the Receiver and its legal counsel (which it will apply rateably with the Mortgage Property Proceeds Holdback).
34. The balance of the SN Property Proceeds, in the amount of \$1,057, plus any unused portion of the SN Proceeds Holdback (the “**SN Property Proceeds Residual**”), will be distributed to the Trustee in Bankruptcy of Westmount, to be distributed in accordance with such relevant priorities as may be established.

**(e) Books and Records**

35. In connection with its discharge, the Receiver seeks an order directing that it may provide any books and records of the Debtor to the trustee in bankruptcy, which at this time is also Deloitte.

**(f) Discharge**

36. Upon making distribution of the Proceeds and Residual (if any), and dealing with necessary administrative matters, the Receiver is not aware of any further steps that can be taken that would be in the interests of the stakeholders of the Debtor or accretive to their estates, and as such seeks its discharge on filing of a Receiver's Certificate stating that these matters have concluded.
37. Such further and other grounds as counsel may advise and this Honourable Court may permit.

**Material or evidence to be relied on:**

38. The Third Report of the Court-Appointed Receiver of Westmount Projects Inc. dated November 15, 2023.
39. The Confidential Supplement to the Third Report of the Court-Appointed Receiver of Westmount Projects Inc. dated November 15, 2023.
40. The Fourth Report of the Court-Appointed Receiver of Westmount Projects Inc. dated April 15, 2024.
41. Affidavit speaking to service.
42. The pleadings and proceedings in the within action.
43. Such further and other material and evidence as counsel may advise and this Honourable Court may permit.

**Applicable Rules:**

44. *Alberta Rules of Court*, Alta Reg 124/2010, including but not limited to rules 1.2-1.5, 6.3, 6.9, 6.10, 6.47, and Part 11.
45. Such further and other Rules as counsel may advise and this Honourable Court may permit.

**Applicable Acts and regulations:**

46. *Bankruptcy and Insolvency Act*, RSC 1985 c B-3.
47. *Bankruptcy and Insolvency General Rules*, CRC c 368.
48. *Builders' Lien Act*, RSA 2000 c B-7.
49. *Judicature Act*, RSA 2000 c J-2.
50. *Land Titles Act*, RSA 2000 c L-4.

51. *Personal Property Security Act*, RSA 2000 c P-7.
52. Such further and other Acts and regulations as counsel may advise and this Honourable Court may permit.

**Any irregularity complained of or objection relied on:**

53. None.

**How the application is proposed to be heard or considered:**

54. Via Web-Ex, before the Presiding Commercial List Justice.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.

Schedule "A" to the Application



COURT FILE NUMBER: 2301-04941  
COURT COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY  
PLAINTIFF BANK OF MONTREAL  
DEFENDANTS WESTMOUNT PROJECTS INC., 2218923 ALBERTA LTD.,  
1975847 ALBERTA LTD., ANDERSON & ASSOCIATES  
FINANCIAL CORP., IRONCLAD PROJECTS LTD., GORDAN D.  
ANDERSON, and DENI MARIO DANIEL ECHINO

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*Updated April 15, 2024*

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<p><b>Harmani Calgary Inc.</b> Email: <a href="mailto:hs@amrik.ca">hs@amrik.ca</a></p>	<p><b>Bosecke Law</b> Attn: Carl Bosecke Email: <a href="mailto:c.bosecke@edmontonlaw.ca">c.bosecke@edmontonlaw.ca</a></p>

<p><b>Mainstreet Equity Corp.</b>  Attn: Bob Dhillon / Matt Medoruma  Email: <a href="mailto:bdhillon@mainst.biz">bdhillon@mainst.biz</a> /  <a href="mailto:mmedourma@mainstreet.biz">mmedourma@mainstreet.biz</a></p>	<p><b>WBA Law LLP</b>  Attn: Joseph B. Amantea  Email: <a href="mailto:amantea@wbalaw.ca">amantea@wbalaw.ca</a></p>
<p><b>Beaumont Church LLP</b>  Suite 300, 2912 Memorial Drive S.E.  Calgary, Alberta T2A 6R1  Attn: James M.B. Clark  Email: <a href="mailto:jamie.clark@beaumontchurch.com">jamie.clark@beaumontchurch.com</a></p>	
<p><b>2416924 Alberta Ltd.</b>   Email: <a href="mailto:PPSA@StrideCap.com">PPSA@StrideCap.com</a></p>	
<p><b>SERV-IT BAILIFF SERVICES INC</b>  10147 115 STREET  EDMONTON, AB T5K 1T3   Fax: 780 421 9939</p>	
<p><b>WESTERN CIVIL ENFORCEMENT AGENCY INC.</b>  #126, 1111 6TH AVE SW  CALGARY, AB T2P 5M5   Fax #: 403 236 2275</p>	
<p><b>Canadian Mortgage Servicing Corporation</b>   Email: <a href="mailto:Rob.Goodall@cmcapitalcorp.com">Rob.Goodall@cmcapitalcorp.com</a></p>	
<p><b>Wuraola Ekundayo and Fisayo Ekundayo</b>   Email: <a href="mailto:ayomiposilo@yahoo.com">ayomiposilo@yahoo.com</a></p>	



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COURIER:	FAX:
<b>Anderson &amp; Associates Financial Corp.</b> c/o Registered Office 511-888 4 Ave S.W. Calgary, Alberta T2P 0V2	<b>Serv-It Bailiff Services Inc.</b> Fax: 780 421 9939
<b>Anderson &amp; Associates Financial Corp.</b> 2440 Kensington Rd NW Calgary, Alberta T2N3S1	<b>Western Civil Enforcement Agency Inc.</b> Fax: 403 236 2275
<b>Ironclad Projects Ltd.</b> c/o Registered Office 511-888 4 Ave S.W. Calgary, Alberta T2P 0V2	
<b>Ironclad Projects Ltd.</b> 404, 3412 Parkdale Blvd NW Calgary, Alberta T2N 3T4	
<b>Canadian Western Bank</b> Credit Support, Nab Region 201, 12230 Jasper Avenue Edmonton, Alberta T5N 3K3	
<b>Abdul Sattar</b> 511, 888 – 4 <sup>th</sup> Ave SW Calgary, AB T2P 0V2	
<b>Serv-It Bailiff Services Inc.</b> 10147 115 Street Edmonton, AB T5K 1T3	
<b>Western Civil Enforcement Agency Inc.</b> #126, 1111 6 <sup>th</sup> Ave SW Calgary, AB T2P 5M5	

## Schedule "B" to the Application

**Counsel: Please ensure that all relevant parties have received Webex information.**

**Virtual Courtroom 86** has been assigned for the above noted matter:

Virtual Courtroom Link:

<https://albertacourts.webex.com/meet/virtual.courtroom86>

Instructions for Connecting to the Meeting

1. Click on the link above or open up Chrome or Firefox and cut and paste it into your browser address bar.
2. If you do not have the Cisco Webex application already installed on your device, the site will have a button to install it. Follow installation instructions. Enter your full name and email address when prompted
3. Click on the **Open Cisco Webex Meeting**.
4. You will see a preview screen. Click on **Join Meeting**.

Key considerations for those attending:

1. Please connect to the courtroom **15 minutes prior** to the start of the hearing.
2. Please ensure that your microphone is muted and remains muted for the duration of the proceeding, unless you are speaking. Ensure that you state your name each time you speak.
3. If bandwidth becomes an issue, some participants may be asked to turn off their video and participate by audio only.
4. **Note: Recording or rebroadcasting of the video is prohibited.**
5. **Note: It is highly recommended you use headphones with a microphone or a headset when using Webex. This prevents feedback.**

For more information relating to Webex protocols and procedures, please visit:

<https://www.albertacourts.ca/qb/court-operations-schedules/webex-remote-hearings-protocol>

You can also join the meeting via the "Cisco Webex Meetings" App on your smartphone/tablet or other smart device. You can download this via the App marketplace and join via the link provided above.

Thank you,

Schedule "C" to the Application

Clerk's Stamp:

COURT FILE NUMBER	2301-04941
COURT	COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
PLAINTIFF	BANK OF MONTREAL
DEFENDANTS	WESTMOUNT PROJECTS INC., 2218923 ALBERTA LTD., 1975847 ALBERTA LTD., ANDERSON & ASSOCIATES FINANCIAL CORP., IRONCLAD PROJECTS LTD., GORDAN D. ANDERSON, AND DENI MARIO DANIEL ECHINO
DOCUMENT	<b><u>ORDER FOR ACTIVITY AND FEE APPROVAL, APPROVAL OF DISTRIBUTION, AND DISCHARGE</u></b>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Dentons Canada LLP Bankers Court 15 <sup>th</sup> Floor, 850 - 2 <sup>nd</sup> Street S.W. Calgary, Alberta T2P 0R8 Attn: John Regush Ph. (403) 268-7086 File No.: 569588-14
DATE ON WHICH ORDER WAS PRONOUNCED	April 23, 2024
LOCATION WHERE ORDER WAS PRONOUNCED	Edmonton, Alberta
NAME OF JUSTICE WHO MADE THIS ORDER	The Honourable Justice Lema

**UPON THE APPLICATION** by Deloitte Restructuring Inc., in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of certain of the undertakings, property and assets of Westmount Projects Inc. ("**Westmount**" or the "**Debtor**") as more particularly described in the Receivership Order – Westmount Projects Inc. pronounced on May 15, 2023 in the within proceedings (the "**Receivership Order**") 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 reading the Third Report of the Court-Appointed Receiver of Westmount Projects Inc. dated November 12, 2023 ("**Third Report**"), the Confidential Supplement to the Third Report of the Court-Appointed Receiver of Westmount Projects Inc. dated November 15, 2023 (the "**Confidential Supplement**"), and the Fourth Report of the Court-Appointed Receiver of Westmount Projects Inc. dated April 15, 2024 (the "**Fourth Report**"); AND UPON reading the affidavit of service of [ ] sworn [ ] (the "**Service Affidavit**"); AND UPON hearing submissions of counsel to the Receiver; AND UPON being satisfied that it is appropriate to do so;

#### **SERVICE**

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this application and time for service of this application is abridged to that actually given.

## APPROVAL OF ACTIVITIES AND ACCOUNTS

2. The Receiver's accounts for fees and disbursements, as set out in the Fourth Report are hereby approved without the necessity of a formal passing of its accounts.
3. The accounts of the Receiver's legal counsel Dentons Canada LLP for their fees and disbursements, as set out in the Fourth Report are hereby approved without the necessity of a formal assessment of their accounts.
4. The Receiver's activities as set out in the Third Report, Confidential Supplement, and Fourth Report and the Statement of Receipts and Disbursements as attached to the Fourth Report, are hereby ratified and approved.

## DISTRIBUTIONS

5. The Receiver is authorized and directed to make the following distributions:
  - (a) the amount of \$2,907,061 to Bank of Montreal ("**BMO**");
  - (b) the amount of \$629,729 to Horizon Capital Corporation ("**Horizon**"); and
  - (c) the amount of \$1,057 to the Debtor's trustee in bankruptcy, Deloitte Restructuring Inc.
6. The Receiver is authorized and directed to hold back the sum of \$163,801 ("**Holdback**"), to be applied to unpaid and future fees of the Receiver and its counsel, without the necessity of further approval of such fees. The Receiver shall distribute any unused portion of the Holdback as follows:
  - (a) 95% to Horizon; and
  - (b) 5% to the Debtor's trustee in bankruptcy, Deloitte Restructuring Inc.

## RELEASE AND STAY

7. On the evidence before the Court, the Receiver has satisfied its obligations under and pursuant to the terms of the Orders granted in the within proceedings up to and including the date hereof, and the Receiver shall not be liable for any act or omission on its part including, without limitation, any act or omission pertaining to the discharge of its duties in the within proceedings, save and except for any liability arising out of any in fraud, gross negligence or willful misconduct on the part of the Receiver, or with leave of the Court. Subject to the foregoing any claims against the Receiver in connection with the performance of its duties are hereby stayed, extinguished and forever barred.
8. No action or other proceedings shall be commenced against the Receiver in any way arising from or related to its capacity or conduct as Receiver, except with prior leave of this Court on notice to the Receiver, and upon such terms as this Court may direct.

## **DISCHARGE OF RECEIVER**

9. Upon the Receiver filing with the Clerk of the Court a Receiver's Completion Certificate confirming that:
- (a) all matters set out in paragraphs 5 and 6 of this Order have been completed; and
  - (b) the activities described at paragraph 61 of the Fourth Report, have been completed;

then the Receiver shall be discharged as Receiver of the Debtor, provided however, that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver.

## **MISCELLANEOUS**

10. The Receiver shall provide any physical books and records of the Debtor to the Debtor's trustee in bankruptcy, Deloitte Restructuring Inc.
11. 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.
12. Service of this Order on any party not attending this application is hereby dispensed with.

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Justice of the Court of King's Bench of Alberta

**Schedule "A"**

**Form of Receiver's Certificate**

Clerk's Stamp:

COURT FILE NUMBER	2301-04941
COURT	COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
PLAINTIFF	BANK OF MONTREAL
DEFENDANTS	WESTMOUNT PROJECTS INC., 2218923 ALBERTA LTD., 1975847 ALBERTA LTD., ANDERSON & ASSOCIATES FINANCIAL CORP., IRONCLAD PROJECTS LTD., GORDAN D. ANDERSON, AND DENI MARIO DANIEL ECHINO
DOCUMENT	<b><u>RECEIVER'S COMPLETION CERTIFICATE – WESTMOUNT PROJECTS INC.</u></b>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Dentons Canada LLP Bankers Court 15 <sup>th</sup> Floor, 850 - 2 <sup>nd</sup> Street S.W. Calgary, Alberta T2P 0R8 Attn: Derek Pontin / John Regush Ph. (403) 268-6301 / 7086 Fx. (403) 268-3100 File No.: 131079-102

**RECITALS**

- A. Pursuant to an Order of the Honourable Justice Lema of the Court of King's Bench of Alberta, Judicial District of Calgary (the "**Court**") dated May 15, 2023, Deloitte Restructuring Inc. was appointed as the receiver (the "**Receiver**") of certain of the undertakings, property and assets of Westmount Projects Inc. ("**Westmount**" or the "**Debtor**").
- B. Pursuant to an Order of the Court dated April 23, 2024 (the "**Discharge Order**"), the Court ordered that the Receiver would be discharged as Receiver of the Debtor upon the delivery by the Receiver of a certificate confirming that the activities set out at paragraph 61 (the "**Remaining Activities**") of the Fourth Report of the Receiver dated April 15, 2024 (the "**Fourth Report**") and all matters set out in paragraphs 5 and 6 of the Discharge Order have been completed.
- C. Unless otherwise indicated herein, capitalized terms have the meanings set out in the Discharge Order.

**THE RECEIVER CERTIFIES** the following:

- 1. The Remaining Activities have been completed.
- 2. All matters set out in paragraphs 5 and 6 of the Discharge Order have been completed.

3. This Certificate was delivered by the Receiver at **[Time]** on **[Date]**.

**DELOITTE RESTRUCTURING INC., in its capacity as Court-appointed receiver and manager of certain of the assets, properties, and undertakings of Westmount Projects Inc. and not in its personal or corporate capacity.**

**Per:** \_\_\_\_\_

**Name:**

**Title:**