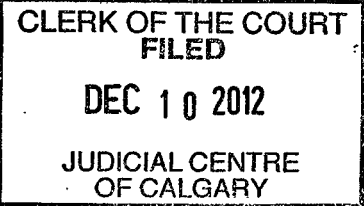


Form 23  
[Rule 4.36(4)]

Clerk's stamp:



COURT FILE NUMBER: 1001-02443

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFFS: PERERA DEVELOPMENT CORPORATION and PERERA SHAWNEE LTD., BY THEIR COURT APPOINTED RECEIVER AND MANAGER, DELOITTE & TOUCHE INC.

DEFENDANTS: McINTOSH LALANI ENGINEERING LTD., NAZIM LALANI, JOHN DOE I, JOHN DOE II PROFESSIONAL ENGINEERING CORPORATION, NORR ARCHITECTS PLANNERS, POON MCKENZIE ARCHITECTS (ALBERTA) INC., POON MCKENZIE HOLDINGS INC., BRUCE MCKENZIE AND ON TRACK EXCAVATING LTD.

DOCUMENT: PARTIAL DISCONTINUANCE OF CLAIM

ADDRESS FOR SERVICE AND CONTACT INFORMATION FOR PARTY FILING THIS DOCUMENT OSLER, HOSKIN & HARCOURT LLP  
Barristers & Solicitors  
Suite 2500, 450 – 1st Street SW  
Calgary, AB T2P 5H1  
Solicitor: A. Robert Anderson, Q.C./ Michael Bokhaut  
Telephone: (403) 260-7004/7023  
Facsimile: (403) 260-7024  
File Number: 1121689

**The Plaintiffs, Perera Development Corporation and Perera Shawnee Ltd., by their Court appointed receiver and manager, Deloitte & Touche Inc., discontinues this action against the Defendants, McIntosh Lalani Engineering Ltd. and Nazim Lalani, without costs (the "Discontinuance").**

**This Discontinuance may be consented to in counterpart and by facsimile or other electronic means.**

**NOTE**

If you discontinue the action/part of the action, the other party is entitled to costs unless the other party consents to a discontinuance without costs (Rule 4.36(4)).

**NOTE**

The discontinuance of the action/part of the action may not be raised as a defence to any subsequent action for the same or substantially the same claim (Rule 4.36(5)).

CONSENTED TO December 4, 2012

OSLER, HOSKIN & HARCOURT LLP

CONSENTED TO DECEMBER 10, 2012

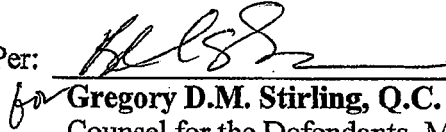
PARLEE MCLAWS LLP

FOK:  
Per:



A. Robert Anderson, Q.C.  
Counsel for Deloitte & Touche Inc., in  
its capacity as Court-appointed  
receiver and manager of Perera  
Development Corporation and Perera  
Shawnee Ltd.

Per:



for Gregory D.M. Stirling, Q.C.  
Counsel for the Defendants, McIntosh  
Lalani Engineering Ltd., and Nazim  
Lalani