



No. B-150075
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL
OF WILLIAMS MOVING & STORAGE (B.C.) LTD.

NOTICE OF APPLICATION

Name(s) of applicant(s): Maynards Industries Ltd.

To: WITHOUT NOTICE

TAKE NOTICE that an application will be made by the applicant(s) to the presiding judge or master at the courthouse at 800 Smithe Street, Vancouver, British Columbia, on Tuesday, March 10, 2015 at 9:45 a.m. for the order(s) set out in Part 1 below.

Part 1: ORDER(S) SOUGHT

1. An Order in substantially the form of the draft Order attached hereto as Schedule "A," including that:
 - a) The 2nd Affidavit of Aaron Stewardson made March 9, 2015, including the exhibit thereto (the "**Stewardson Confidential Affidavit**"), be sealed in the court file in these proceedings and be segregated from, and not form part of, the public record; and
 - b) The Stewardson Confidential Affidavit be filed with the Court under seal in an envelope labelled with (a) the style of cause in this action, (b) a description of the contents of the envelope and (c) the words "Confidential – SUBJECT TO THE ORDER OF THE COURT MADE MARCH 10, 2015". The Stewardson Confidential Affidavit be kept under seal by court registry staff unless otherwise directed by the Court.

Part 2: FACTUAL BASIS

1. By agreement dated March 6, 2015 Maynards Industries Ltd. ("**Maynards**") and Williams Moving & Storage (B.C.) Ltd. (the "**Company**") entered into an agreement

(the "**Liquidation Agreement**") pursuant to which Maynards was engaged to sell certain assets of the Company (the "**Assets**").

2. Maynards believes that the Liquidation Agreement should not be made public so as to maximize the ultimate sales pricing and recovery for the Company by limiting access to the competitive costing analysis the range of values that the Liquidation Agreement is based upon.

Part 3: LEGAL BASIS

1. The court may order that material filed with the court be kept confidential and filed under seal in cases where it is necessary to prevent a serious risk to an important interest, including a commercial interest.

Sierra Club of Canada v. Canada (Minister of Finance), [2002] 2 SCR 522 at pp. 543-544

2. In the present case, there are several commercial interests at stake, including those of the secured lenders with registered security interests in the Assets, all of which are concerned to see the best possible sale price obtained for the Assets being sold by Maynards. Similarly, Maynards is concerned that the pricing terms of the Auction Agreement not be made public at it may give its competitors an unfair advantage on future proposals to potential clients.
3. In the circumstances, it is appropriate that an order be made in order to keep the pricing terms of the Auction Agreement confidential. The sealing order sought by Maynards best accomplishes that purpose.

Part 4: MATERIAL TO BE RELIED ON

1. 1st Affidavit of Aaron Stewardson made March 9, 2015;
2. 2nd Affidavit of Aaron Stewardson made March 9, 2015;
3. all pleadings had and taken herein; and
4. such further and other material as counsel may advise and this Honourable Court deems admissible.

The applicant(s) estimate(s) that the application will take 5 minutes.

- This matter is within the jurisdiction of a master.
 This matter is not within the jurisdiction of a master.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this notice of application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 8 business days after service of this notice of application,

- (a) file an application response in Form 33,
- (b) file the original of every affidavit, and of every other document, that
 - i) you intend to refer to at the hearing of this application, and
 - ii) has not already been filed in the proceeding, and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
 - iii) a copy of the filed application response;
 - iv) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
 - v) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

Dated: March 9, 2015

"R. Hoops Harrison"
Signature of R. Hoops Harrison

applicant lawyer for applicant(s)

The Solicitors for the applicant, Maynards Industries Ltd., are Alexander Holburn Beaudin + Lang LLP, whose office address and address for delivery is 2700 - 700 West Georgia Street, Vancouver, BC V7Y 1B8 Telephone: 604-484-1700 (Reference: R. Hoops Harrison/1127377)

To be completed by the court only:

Order made

in the terms requested in paragraphs [specify] of Part 1 of this notice of application

with the following variations and additional terms:

Dated:

Signature of
 Judge Master

APPENDIX

THIS APPLICATION INVOLVES THE FOLLOWING:

- discovery: comply with demand for documents
- discovery: production of additional documents
- other matter concerning oral discovery
- extend oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts.

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ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE) Tuesday, the 10th day of March, 2015

UPON THE APPLICATION of the Applicant, Maynards Industries Ltd., without notice, coming on for hearing on this day at Vancouver, British Columbia, and upon hearing R. Hoops Harrison, lawyer for the Applicant, and upon hearing Vicki Tickle, lawyer for Williams Moving & Storage (B.C.) Ltd., and upon reading the pleadings and proceedings;

THIS COURT ORDERS that:

1. The time for service of the Notice of Application be and is hereby abridged and that the Notice of Application is properly returnable today and service upon any interested party, is hereby dispensed with;
2. The 2nd Affidavit of Aaron Stewardson made March 9, 2015, including the exhibit thereto (the "Stewardson Confidential Affidavit"), be sealed in the court file in these proceedings and be segregated from, and not form part of, the public record;
3. The Stewardson Confidential Affidavit be filed with the Court under seal in an envelope labelled with (a) the style of cause in this action, (b) a description of the contents of the envelope and (c) the words "Confidential – SUBJECT TO THE ORDER OF THE COURT MADE MARCH 10, 2015". The Stewardson Confidential Affidavit be kept under seal by court registry staff unless otherwise directed by the Court; and

4. Any interested party may apply to the Court on seven (7) days' notice to the Company and Maynards for an order amending or varying this Order.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

Signature of Lawyer for the Applicant
R. Hoops Harrison

Signature of Lawyer for Williams Moving & Storage (B.C.) Ltd.
Vicki Tickle

By the Court

Registrar