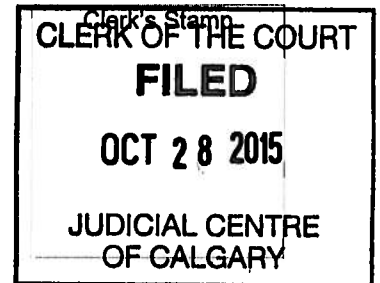


COURT FILE NO. 1401-05914  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
IN BANKRUPTCY AND INSOLVENCY  
JUDICIAL CENTRE CALGARY  
APPLICANT CP ENERGY MARKETING LP  
RESPONDENT KYOTO FUELS CORPORATION



IN THE MATTER OF KYOTO FUELS CORPORATION, a corporation incorporated pursuant to the laws of the Province of Alberta

I hereby certify this to be a true and correct copy of the original Order

DOCUMENT **BANKRUPTCY ORDER**

Dated this 28 day of Oct 2015

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT Norton Rose Fulbright Canada LLP  
400 3<sup>rd</sup> Avenue SW, Suite 3700  
Calgary, Alberta T2P 4H2  
Phone: +1 403.267.8222  
Fax: +1 403.264.5973  
Email: kyle.kashuba@nortonrosefulbright.com  
  
Attention: Kyle D. Kashuba  
File No. 01139306-0007

[Signature]  
for Clerk of the Court

DATE UPON WHICH ORDER WAS PRONOUNCED: Wednesday, October 28, 2015  
NAME OF REGISTRAR WHO MADE THIS ORDER: Mr. Justice A.D. Macleod  
LOCATION OF HEARING: Calgary, Alberta

### BANKRUPTCY ORDER

**UPON THE APPLICATION FOR BANKRUPTCY ORDER** being made by CP Energy Marketing LP (the "**Applicant**"), having an office at 1200 - 401, 9 Ave SW, Calgary, AB T2P 3C5, a creditor of Kyoto Fuels Corporation ("**Kyoto**"), having an office at RR #8 S2 C24, Lethbridge, AB T1J 4P4, filed on October 21, 2015; **AND UPON** having read the Application for Bankruptcy Order and the Affidavit of Verification of Matthew Rudakewich sworn October 21, 2015 and filed October 21, 2015; **AND UPON** reading the consent of Ernst & Young Inc. to act

as trustee in bankruptcy of the estate of Kyoto; **AND UPON** hearing counsel for the Applicant, and from any other interested parties who may be present; **AND UPON** it appearing that all interested and affected parties have been served with notice of this Application; **AND UPON** it appearing to the Court that the following act of bankruptcy has been committed:

- (a) the debt owing by Kyoto to the Applicant exceeds \$1,000; and
- (b) within the 6 months preceding the date of filing of the Application for Bankruptcy Order, Kyoto ceased to meet its liabilities generally as they become due.

**THE COURT IS CONVINCED AND HEREBY ORDERS AND DECLARES THAT:**

1. Service of the 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 the time for service of this Application is abridged to that actually given.
2. Kyoto, a corporation incorporated pursuant to the laws of the Province of Alberta, be and is hereby adjudged bankrupt and that a Bankruptcy Order is hereby made against Kyoto.
3. Ernst & Young Inc. be and is hereby appointed as trustee of the estate of the bankrupt Kyoto, without security.
4. The costs of and incidental to this Application and of this Order be paid to the Applicant, on a full indemnity, solicitor and his own client basis, out of the assets of the estate of the bankrupt Kyoto, forthwith after taxation thereof.

*"A. D. Macklod"*

---

Justice of the Alberta Court of Queen's Bench