

COURT FILE NUMBER 1603 20319
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE EDMONTON



IN THE MATTER OF THE COMPANIES'
CREDITORS ARRANGEMENT ACT, R.S.C.
1985, c. C-36, AS AMENDED

AND IN THE MATTER OF PARKLAND
AIRPORT DEVELOPMENT CORPORATION

DOCUMENT **APPLICATION**

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

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Service will be accepted by delivery or fax. No other form of service will be accepted.

NOTICE TO RESPONDENT(S):

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: **December 7, 2018**
Time: **2:00 p.m.**
Where: **Law Courts, Edmonton, Alberta**
Before Whom: **The Honourable Justice S.D. Hillier**

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. An Order:
 - (a) approving the Tenth Report of Deloitte Restructuring Inc. (the "Monitor") in their capacity as monitor of Parkland Airport Development Corporation (the "Debtor") and approving the Monitor's activities as described in the Report;
 - (b) extending and preserving the terms of the Order of Justice Hillier dated May 2, 2017, which suspended all limitations periods respecting potential claims for transfers, preferences, and conveyances at under value (the "Questioned Transactions") until February 15, 2019; and
 - (c) granting such further and other relief as this Honourable Court deems just in the circumstances.

Grounds for making this application:

2. The Monitor was appointed Monitor pursuant to the provisions of the *Companies Creditors Arrangement Act* (the "CCAA") by Order of this Honourable Court granted in these proceedings on November 29, 2016 (the "Initial Order").
3. The Initial Order directed and empowered the Monitor to make inquiry and report upon any transactions to which s. 36.1 of the CCAA may apply.
4. Depending on the Debtor's proposed next steps and the Order which issues from this Court addressing whether the stay of proceedings is to be continued, it may be beneficial to preserve the tolling periods imposed by the May 2, 2017 Order.

Material or evidence to be relied on:

5. The Reports of the Monitor filed in these proceedings including, but not limited to, the Tenth Report.
6. Such further materials and documents as counsel may advise and this Honourable Court may permit.

Applicable rules:

7. N/A.

Applicable Acts and regulations:

8. *Companies Creditors Arrangement Act*, R.S.C. 1985, c.C-36, including, but not limited to, s. 36.1.

9. *Bankruptcy and Insolvency Act*, R.S.C. 1985, c.B-3, including, but not limited to, sections 95 to 101 and 163.

Any irregularity complained of or objection relied on:

10. None.

How the application is proposed to be heard or considered:

11. In person, before the Honourable Mr. Justice S.D. Hillier.

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.