

File No. CI 19-01-23329

THE QUEEN'S BENCH

WINNIPEG CENTRE

IN THE MATTER OF: The Appointment of a Receiver pursuant to Section 243
of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-
3, as amended, and Section 55 of *The Court of Queen's
Bench Act*, C.C.S.M. c. C280

BETWEEN:

ROYAL BANK OF CANADA,

Plaintiff,

- and -

6382330 MANITOBA LTD., PGRP PROPERTIES INC.
and 6472240 MANITOBA LTD.,

Defendants.

ORDER

Thompson Dorfman Sweatman LLP
Barristers and Solicitors
1700 – 242 Hargrave Street
Winnipeg MB R3C 0V1

(Matter No. 0169515 RAM)
(Ross A. McFadyen: 204-934-2378)
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THE QUEEN'S BENCH

WINNIPEG CENTRE

THE HONOURABLE) Thursday, the 1st day of April, 2021
)
MR. JUSTICE EDMOND)

IN THE MATTER OF: The Appointment of a Receiver pursuant to Section 243
of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-
3, as amended, and Section 55 of *The Court of Queen's
Bench Act*, C.C.S.M. c. C280

BETWEEN:

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6382330 MANITOBA LTD., PGRP PROPERTIES INC.
and 6472240 MANITOBA LTD.,

Defendants.

ORDER

THESE MOTIONS, made by 6382330 Manitoba Ltd. ("**638**") and
6472240 Manitoba Ltd. ("**647**"), and by PGRP Properties Inc. ("**PGRP**"), for an Order
granting leave to 638, 647 and PGRP to pursue an action against Deloitte
Restructuring Inc. in its capacity as the Court-appointed receiver of 638, 647 and
PGRP (in such capacity, the "**Receiver**"), and for other related relief, was heard on

March 30, 2021 at the Winnipeg Law Courts Building, 408 York Avenue in Winnipeg, Manitoba.

ON READING the Affidavit of Stephen Glen Collins affirmed February 22, 2001, the Affidavit of Patrick Gilbert Roy Penner affirmed March 8, 2021, the Affidavit of Stephen Glen Collins affirmed March 9, 2021, the Affidavit of Mark Thiessen affirmed March 29, 2021, the First Report of the Receiver dated December 10, 2020, the Second Report of the Receiver dated February 12, 2021, the Supplement to the Second Report of the Receiver dated February 16, 2021, the Third Report of the Receiver dated March 25, 2021, and the Affidavit of Marlene Starenky sworn September 10, 2019, and on hearing the submissions of counsel for the Receiver, counsel for the Plaintiff, counsel for 6382330 Manitoba Ltd., 6472240 Manitoba Ltd., Stephen Glen Collins, Paul Arsenault, and counsel for PGRP Properties Inc. and Patrick Gilbert Roy Penner, no one else appearing for any other person on the Service List, although served as evidenced by the Affidavit of Service of Ross A. McFadyen affirmed March 25, 2021, filed:

1. THIS COURT ORDERS that the motions of 638 and 647, on the one hand, and the motion of PGRP, on the other hand, be and are hereby dismissed.

2. THIS COURT ORDERS that if the costs in respect of these motions cannot be agreed upon, they may be spoken to by arranging a further one-hour hearing.

March , 2021

J.G.

Edmond, J

Digitally signed by
J.G. Edmond, J
Date: 2021.04.15
10:38:15 -05'00'

I, ROSS A. MCFADYEN OF THE FIRM OF THOMPSON DORFMAN SWEATMAN LLP HEREBY CERTIFY THAT I HAVE RECEIVED THE CONSENTS AS TO FORM OF THE FOLLOWING PARTIES: THE PLAINTIFF AND 6382330 MANITOBA LTD., 6472240 MANITOBA LTD., STEPHEN GLEN COLLINS AND PAUL OWEN ARSENAULT, AND PGRP PROPERTIES INC. AND PATRICK GILBERT ROY, PENNER, AS DIRECTED BY THE HONOURABLE MR. JUSTICE EDMOND.