

COURT FILE NUMBER QBG 1337 of 2020

**COURT OF QUEEN'S BENCH FOR SASKATCHEWAN
IN BANKRUPTCY AND INSOLVENCY**

JUDICIAL CENTRE SASKATOON

PLAINTIFF BANK OF MONTREAL

DEFENDANTS TYLER SMITH, PAMELA SMITH, SMITH NORTHERN
RANCHING and 101197829 SASKATCHEWAN LTD.

ORDER

(Approval of Sales and Other Relief)

Before the Honourable Mr. Justice R.S. Smith in Chambers the 14th day of January, 2021.

Upon the application of Jeffrey M. Lee, Q.C., counsel on behalf of the Receiver, Deloitte Restructuring Inc. (the "**Receiver**"), and upon hearing from counsel on behalf of the Receiver, and upon reading the Notice of Application of the Receiver dated January 8, 2021, the First Report of the Receiver dated January 8, 2021 (the "**First Report**"), all filed; and the pleadings and proceedings herein:

THE COURT ORDERS THAT:

1. Words and phrases contained in this Order which begin with capital letters but which are not defined herein shall have the respective meanings ascribed thereto in the First Report.
2. The "**Proposed Livestock Sale**" and the "**Proposed Market Grain Sale**" (as those terms are respectively defined in the First Report) are declared to be commercially reasonable and in the best interests of the Debtors and their creditors and are hereby authorized and approved, with such minor amendments as the Receiver may deem necessary.
3. The Receiver is hereby authorized to take such additional steps and execute such additional documents as may be necessary or advisable (including any steps necessary or desirable to satisfy and/or comply with any applicable laws, regulations or orders of any courts, tribunals, regulatory bodies or administrative bodies) in order to complete the Proposed Livestock Sale and/or the Proposed Market Grain Sale.
4. The Receiver is hereby authorized to repay, from the proceeds of the Proposed Livestock Sale and/or the Proposed Market Grain Sale, an amount up to \$100,000.00 (plus accrued interest) previously borrowed by the Receiver pursuant to paragraphs 20-23 of the Receivership Order granted in these proceedings by the Honourable Mr. Justice R.S. Smith on December 1, 2020 (the "**Receivership Order**").

5. The First Report is hereby approved.
6. All actions, activities, and conduct of the Receiver (collectively, the "**Actions of the Receiver**") from December 1, 2020 through to and including January 8, 2021 in relation to the discharge of its duties and mandate as receiver of the Property (as that term is defined in the Receivership Order) pursuant to the Orders of this Honourable Court in these proceedings, as such Actions of the Receiver are more particularly described in the First Report, as well as the statement of receipts and disbursements for the period of December 1, 2020 through January 6, 2021 contained in the First Report, shall be and are hereby approved and confirmed.
7. The professional fees and disbursements of the Receiver for the period of November 3, 2020 through to and including December 31, 2020, and the professional fees and disbursements of legal counsel to the Receiver, MLT Aikins LLP, for the period of November 10, 2020 through to and including December 28, 2020, all as described in the First Report, are hereby approved without the necessity of a formal passing or assessment of accounts.

ISSUED at Saskatoon, Saskatchewan, this 21 day of January, 2021.

S. COOTE
DEPUTY LOCAL REGISTRAR
Deputy Local Registrar

CONTACT INFORMATION AND ADDRESS FOR SERVICE:

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