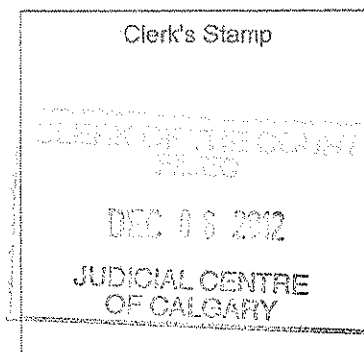


**Order
Rule 9.1**



COURT FILE NO.: 1201-15430

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF(S) STANLEY EISENBERG, LYNN EISENBERG
JACK EISENBERG, BRENDA EISENBERG and
EISENBERG'S PROPERTIES LTD.

DEFENDANT(S) 910234 ALBERTA LTD., RANDY CALMUSKY,
THERESA CALMUSKY, KYLE CALMUSKY,
CALE HUMENIUK and JORDAN RINTOUL

DOCUMENT EX PARTE ATTACHMENT ORDER

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY
FILING THIS DOCUMENT

Gowling Lafleur Henderson LLP
1400, 700 2nd Street SW
Calgary, AB T2P 4V5

Telephone (403) 298-1000

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File No. A129590

Attention: Jeffrey L. Oliver

DATE ON WHICH ORDER WAS PRONOUNCED: December 6, 2012

LOCATION AT WHICH ORDER WAS MADE: Calgary, Alberta

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Mr. Justice Yamauchi

UPON THE EX PARTE APPLICATION of the Plaintiffs; AND UPON HAVING READ the Statement of Claim, the Notice of Application of the Plaintiffs dated December 6, 2012, the Affidavit of Stanley Eisenberg sworn December 4, 2012, the Affidavit of Jack Eisenberg sworn December 4, 2012, the Affidavit of Richard Comstock sworn December 6, 2012; AND UPON NOTING the undertaking as to damages provided by the Plaintiffs in the Affidavit of Stanley Eisenberg and the Affidavit of Jack Eisenberg; AND UPON HEARING representations made by counsel for the Plaintiffs;

IT IS HEREBY ORDERED THAT:

1. This application shall be heard on a without notice basis, on the basis that serving notice of this application may cause undue prejudice to the applicant;
2. The Registrar of Land Titles for the Province of Alberta is hereby directed to:
 - (a) Provide a list of lands currently registered in the name of 910234 Alberta Ltd., Randy Calmusky, Theresa Calmusky, Ryan Calmusky, Kyle Calmusky, Jennifer Calmusky, Cale Humeniuk and Jordan Rintoul; and
 - (b) Immediately register this Attachment Order against all such lands or documents registered in the name of 910234 Alberta Ltd., Randy Calmusky or Theresa Calmusky, pursuant to section 22 of the *Civil Enforcement Act* (Alberta), RSA 2000, c C-15 ("*CEA*");
 - (c) Immediately register this Attachment Order against the following lands, regardless of the identity of their legal owner, legally described as:
 - (i) Plan 0715416
Block 1
Lot 20
Excepting thereout all mines and minerals
and municipally described as 27 Elveden Way SW, Calgary, Alberta

("Elveden Property");
 - (ii) Plan 0613282
Block 26
Lot 10
Excepting thereout all mines and minerals
and municipally described as 41 Everglen Crescent SW, Calgary, Alberta

("41 Everglen Property");
 - (iii) Plan 0410490
Block 4
Lot 13
Excepting thereout all mines and minerals

and municipally described as 110 Hawk's Landing Drive, Priddis, Alberta

(**"Hawk's Landing Property"**);

- (d) Immediately register this Attachment Order against the below legally described lands registered in the name of Ryan Calmusky, pursuant to section 22 of the *Civil Enforcement Act* (Alberta), RSA 2000, c C-15 ("**CEA**");

- (i) Plan 0613282
Block 26
Lot 6
Excepting thereout all mines and minerals
and municipally described as 57 Everglen Crescent SW, Calgary, Alberta

(**"57 Everglen Property"**);

3. The Defendants 910234 Alberta Ltd., Randy Calmusky and Theresa Calmusky and their respective agents or any other person under their instruction, and any other person having knowledge of this Attachment Order, are hereby until 5:00 p.m. M.T. on December 21, 2012 prohibited from transferring, disposing of, encumbering or otherwise dissipating any other real or personal property legally or beneficially owned by them, including bank and securities accounts, except for the purpose of meeting 910234 Alberta Ltd., Randy Calmusky and Theresa Calmusky's reasonable and ordinary business or living expenses without the consent of any Receiver appointed in this proceeding or further Order of the Court;
4. The Defendants 910234 Alberta Ltd., Randy Calmusky and Theresa Calmusky, and their respective agents or any other person under their instruction, or any other person having knowledge of this Attachment Order, are hereby until 5:00p.m. M.T. on December 21, 2012 prohibited from transferring or further encumbering the Elveden Property or the Hawk's Landing Property without the consent of any Receiver appointed in this proceeding or further Order of the Court;
5. Ryan Calmusky, and his respective agents or any other person under their instruction, or any other person having knowledge of this Attachment Order, are hereby until 5:00p.m. M.T. on December 21, 2012 prohibited from transferring or further encumbering the 57 Everglen Property without the consent of any Receiver appointed in this proceeding or further Order of the Court;
6. The Defendants Kyle Calmusky, Cale Humeniuk, Jordan Rintoul and Randy Calmusky, and their respective agents or any other person under their instruction, or any other person having knowledge of this Attachment Order, are hereby until 5:00p.m. M.T. on December 21, 2012 prohibited from transferring or further encumbering the 41 Everglen Property without the consent of any Receiver appointed in this proceeding or further Order of the Court;

7. The Plaintiffs or any Receiver appointed in this proceeding shall be at liberty to file a caveat at any Land Titles Office on the Elveden Property, the 41 Everglen Property, the 57 Everglen Property, the Hawk's Landing Property, and any other real property of 910234 Alberta Ltd., Randy Calumsky or Theresa Calumsky, to the extent of those parties' registered ownership interest in those properties.
8. The Plaintiffs or any Receiver appointed in this proceeding shall be at liberty to register a lien with respect to this Attachment Order with the Personal Property Registry for the Province of Alberta and are specifically authorized to register the same against any personal property that may be owned or possessed by 910234 Alberta Ltd., Randy Calmusky or Theresa Calmusky, pursuant to section 22 of the *CEA*.
9. Neither the Clerk of the Court of Queen's Bench, nor any Civil Enforcement Agency, shall distribute any money realized through Writ proceedings as against any of the Defendants herein until termination of this Attachment Order or further Order of the Court.
10. This Attachment Order shall remain in effect until 5:00p.m. M.T. on December 21, 2012, unless this Attachment Order is extended by application to this Court on notice to the Defendants pursuant to section 18(2) of the *CEA*.
11. The Plaintiffs or any Receiver appointed in this proceeding shall be at liberty to apply to this Honourable Court to extend, vary or amend this Attachment Order at any time.
12. The Plaintiffs shall forthwith serve a copy of this Order upon the Defendants and Ryan Calmusky.
13. Subject to paragraph 14 below, any interested person may apply to this Honourable Court to vary this Attachment Order upon two clear days notice to the Plaintiffs and their counsel, and any Receiver appointed in this proceeding and its counsel.
14. This Order is made without prejudice to the rights of any party in attendance at the application to appoint a Receiver in this proceeding scheduled for 2:00 p.m. on December 7, 2012 to argue that this Order should be vacated at the conclusion of the hearing of that application.



Justice of the Court of Queen's Bench of Alberta