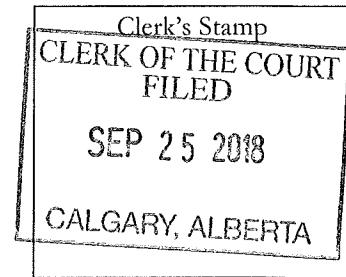




Grant Thornton



COURT FILE NUMBER: 1201-15430

COURT: COURT OF QUEEN'S
BENCH OF ALBERTA

JUDICIAL CENTRE: CALGARY

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

DEFENDANT: 910234 ALBERTA LTD., RANDY CALUMSKY, THERESA
CALMUSKY, KYLE CALMUSKY, CALE HUMENIUK, and
JORDAN RINTOUL

DOCUMENT: RECEIVER'S THIRTEENTH REPORT
SEPTEMBER 24, 2018

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING DOCUMENT

RECEIVER

Grant Thornton Limited
1100, 332 – 6th Avenue SW
Calgary, AB T2P 0B2

Attention: Andrew Basi / Breanne Barker
Telephone: (403) 296-2992 / (403) 260-2594
Facsimile: (403) 260-2571
E-mail: Andrew.Basi@ca.gt.com /
Breanne.Barker@ca.gt.com

COUNSEL

Field LLP
400, 444 – 7th Avenue SW
Calgary, AB T2P 0X8

Attention: Douglas S. Nishimura / Trevor Batty
Telephone: (403) 260-8548 / (403) 260-8537
Facsimile: (403) 264-7084
E-Mail: DNishimura@fieldlaw.com /
TBatty@fieldlaw.com

Table of Contents

Introduction.....	3
Limitations of Report.....	3
The Property.....	4
Conclusions and Recommendations.....	6

Listing of Appendices

Appendix 1 – Settlement Agreement, effective November 2, 2015

Appendix 2 – Copy of the Certificate of Title for the Property

Appendix 3 – Copy of a current MLS listing summary for the Property

Appendix 4 – Copies of correspondence with Ms. Calmusky and/or Ms. Calmusky's legal counsel

Introduction

1. On December 12, 2012, the Court of Queen's Bench of Alberta (the "**Court**") granted an order appointing Grant Thornton Limited (the "**Receiver**") as receiver of 910234 Alberta Ltd. ("**910**" or the "**Company**"). On January 14, 2013, the Court granted an Amended and Restated Receivership Order, which expanded the Receiver's powers.
2. The Receiver has filed a total of twelve reports with the Court dealing with various matters related to the receivership proceedings.
3. The purpose of this report (the "**Receiver's Thirteenth Report**") is to provide this Court with information on the Receiver's application seeking approval of a judicial sale order for the property municipally described as 110 Hawks Landing Drive, Priddis, Alberta (the "**Property**"), which the Receiver has as secured interest in. This is discussed in further detail in this report.

Limitations of Report

4. The information contained in the Thirteenth Second Report has been obtained from the records of the Company, publicly available information, and/or is based upon discussions with and representations made by the Company's management and other professional advisors. The information was not audited nor otherwise verified by the Receiver as to its accuracy or completeness, nor has it necessarily been prepared in accordance with generally accepted accounting principles and the reader is cautioned that this report may not disclose all significant matters about the Company. Accordingly, we do not express an opinion or any other form of assurance on the information presented herein. The Receiver may refine or alter its observations as further information is obtained or is brought to its attention after the date of this report. The Receiver assumes no responsibility or liability for any loss or damage occasioned to any party because of the circulation, publication, reproduction, or use of the Receiver's Thirteenth Report.

5. Copies of the Receiver's reports, orders granted and other documents relevant to the receivership proceedings have been made publically available on the Receiver's website at: www.grantthornton.ca/creditorupdates.
6. Capitalized terms not defined herein shall adopt the meaning as defined in the Receiver's prior reports. Unless otherwise stated, all monetary amounts noted herein are expressed in Canadian dollars. The Receiver recommends that this Receiver's Thirteenth Report be read in conjunction with the Receiver's prior reports.

The Property

7. Pursuant to a settlement agreement ("**Settlement Agreement**") between the Receiver and Theresa Calmusky ("**Ms. Calmusky**"), Gary Calmusky, and Mary Calmusky, fully executed by all parties on November 2, 2015, which is attached as **Appendix 1** to this report:
 - a. Ms. Calmusky granted the Receiver a second collateral mortgage in the amount of \$150,000 on the Property, subject only to the existing mortgage of the Toronto-Dominion Bank ("**TD**") for \$925,000 ("**TD Mortgage**") and other encumbrances as at the date of the settlement;
 - b. Ms. Calmusky was to list the Property immediately for sale with a realtor acceptable to the Receiver; and
 - c. upon the sale of the Property, Ms. Calmusky was to repay the Receiver from the sale proceeds (subject to repayment of the TD Mortgage and available equity after deducting closing costs).
8. A copy of a Certificate of Title dated September 24, 2018 is attached as **Appendix 2**, confirming the TD Mortgage and Receiver's second mortgage on the Property.
9. The Receiver was advised shortly after the Settlement Agreement that Ms. Calmusky had listed the Property for sale. There have been multiple sales agents and a period of time where the Property did not appear to be listed. On November 2, 2016, the Receiver approved Royal LePage as the sales agent and the Property is currently listed with this agent. A MLS

listing summary for the Property is attached as **Appendix 3**, which details the listing history with the current sales agent.

10. Notwithstanding the fact that the Property has been listed for sale, it has not yet been sold, nor has any offers been presented to the Receiver or any information on interest received to date.
11. The Receiver's legal counsel wrote to Ms. Calmusky and/or Ms. Calmusky's legal counsel (who withdrew as her counsel in March of 2018) on several occasions to request the following:
 - a. authorization to discuss directly with Ms. Calmusky's sales agent(s) on the sales process and interest received on the Property;
 - b. copies of listing agreements and information from Ms. Calmusky on any offers or interest received on the Property; and
 - c. confirmation of the balance owing on the TD Mortgage and that no further advances were made under this mortgage.

Ms. Calmusky never provided this information or consent/approval to the Receiver. Copies of the correspondence between the Receiver's legal counsel and Ms. Calmusky and/or Ms. Calmusky's legal counsel on this matter from the Settlement Agreement to the date of this report is attached as **Appendix 4**.

12. The Receiver's legal counsel also wrote to TD directly to request a pay-out statement on the TD Mortgage. TD was unable to provide this information without the consent of Ms. Calmusky, and as such, the Receiver was not provided this information.
13. The Receiver requires that the Property be sold so that it may conclude the receivership proceedings. As a result, the Receiver commissioned an appraisal of the Property, which assessed its market value at \$1,050,000 ("**Property Appraisal**"). An Affidavit of Value and Valuator's Report, typical to a judicial sale request, has been filed with the Court as a separate document. As outlined in this document, Ms. Calmusky did not allow the appraiser

to view the interior of the property, and as such, the Property Appraisal was conducted from the exterior only.

14. The Property is currently listed with Royal LePage at a recently reduced list price of \$1,424,900. Prior to the reduction, which occurred on August 22, 2018, the Property was listed at \$1,499,900 for a significant period of time – at least since February 2017. Based on the Property Appraisal, the Receiver is of the opinion that the past list prices and the current list price have been and remain too high, thus resulting in Ms. Calmusky's inability to sell the Property.

15. Based on the foregoing, the Receiver respectfully requests this Court's approval of a judicial sale order:

- a. directing the judicial listing of the Property with a licensed real estate agent selected at the sole discretion of the Receiver, and cancelling any current listing agreement;
- b. entitling the Receiver's selected agent to post a "FOR SALE" sign on the Property;
- c. during the period of the judicial listing, directing Ms. Calmusky's and/or any person in possession of the Property to cooperate with the selected agent, by allowing the agent and any representative of the agent access to the Property for the purposes of showing the Property to prospective purchasers, after receiving 24 hours written notice; and/or
- d. any such further and other relief as the Court deems necessary.

16. Based on the Property Appraisal, the Receiver recommends a list price of \$1,099,000 or such higher amount as may be recommended by the judicial realtor.

Conclusions and Recommendations

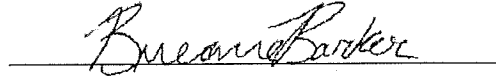
17. Based on the foregoing, the Receiver respectfully recommends this Court approve an order directing the judicial sale of the Property as outlined in this report and other materials filed in connection with the Receiver's application.

DATED at Calgary Alberta, this 25th day of September, 2018.

Grant Thornton Limited,
in its capacity as receiver of
910234 Alberta Ltd.
and not in its personal capacity



Per: Andrew Basi, CPA, CA, CIRP, LIT
Senior Vice President



Per: Breanne Barker, CPA
Senior Associate

SETTLEMENT AGREEMENT

Between:

Grant Thornton Inc.,
in its capacity as Receiver-Manager (the "**Receiver**")
of 910234 Alberta Ltd. ("**910**")

and

Theresa Calmusky, Gary Calmusky and Mary Calmusky
(the "**Calmuskys**")

WHEREAS the Receiver holds judgments in favour of the Estate of 910, against the Calmuskys;

AND WHEREAS the Calmuskys have made claims against the Estate of 910, which claims were rejected by the Trustee in Bankruptcy of 910;

AND WHEREAS the Receiver has commenced enforcement procedures with respect to the judgments;

AND WHEREAS the parties wish to settle the obligations of the Calmuskys to the Estate of 910 and all other disputes related to the Estate of 910.

IN CONSIDERATION of the covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby admitted;

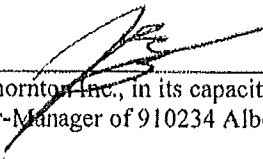
THE PARTIES agree as follows:

1. Theresa Calmusky agrees to pay the sum of \$150,000 (the "**Settlement Payment**") to the Receiver in full satisfaction of all claims against the Calmuskys by the Estate of 910.
2. As security for the Settlement Payment, Theresa Calmusky shall grant a collateral mortgage (the "**Mortgage**") in that amount against the real property owned by Theresa Calmusky, municipally described as 110 Hawk's Landing and legally described as Plan 0410490, Block 4, Lot 13 (the "**Property**").
3. The Mortgage will be a second mortgage, subject only to the existing prior mortgage and encumbrances listed on title as of the present date, in the amounts listed as of the present date. Theresa Calmusky covenants and agrees that no encumbrances ranking higher than the Mortgage will be created or registered and that no further advances on the existing first mortgage will be made.
4. Theresa Calmusky shall immediately list the Property for sale with a realtor acceptable to the Receiver, acting reasonably. Any sale of the Property by Theresa Calmusky shall be subject to the prior approval and consent of the Receiver, acting reasonably.
5. Upon the sale of the Property, Theresa Calmusky shall cause the net proceeds of such sale, after payment of realtor fees, commissions and prior encumbrances to be paid to the Receiver, to the extent required to satisfy this Settlement Agreement and the Promissory Note. Should the

proceeds be insufficient to complete the Settlement Payment, Theresa Calmusky shall be indebted to the Receiver for the deficiency, payable on demand.

6. Theresa Calmusky shall obtain a waiver of any dower rights held by Randy Calmusky with respect to the Property to give effect to this Settlement Agreement.
7. The Parties shall exchange releases with respect to any claims against each other as of the present date, including any claims related to the judgments and any disputed claims against the Receiver and the Estate of 910 by the Calmuskys.
8. The Releases in favour of the Calmuskys shall be held in trust and may not be used until full and final payment of the Settlement Payment is made. The Release in favour of the Receiver and the Estate of 910 shall be effective immediately as of the date of this Settlement Agreement.
9. To the extent not already withdrawn, the Calmuskys shall immediately withdraw or discontinue any existing actions or applications with respect to claims against the Estate of 910. Upon registration of the Mortgage, the Receiver shall cause the Estate of 910 to adjourn any applications related to the enforcement of the Judgments *sine die* and will withdraw or discontinue such actions and shall discharge any existing writs against Theresa Calmusky, Gary Calmusky and Mary Calmusky upon payment of the Settlement Payment.
10. This Settlement Agreement shall be governed by the laws of the Province of Alberta and the laws of Canada applicable therein.
11. This Settlement Agreement may be executed in counterpart by the parties hereto and may be transmitted via facsimile or email; each executed counterpart will be deemed to be an original and the counterparts together will constitute one and the same Settlement Agreement.

DATED the 2 day of Nov, 2015

Per: 
Grant Thornton Inc., in its capacity as
Receiver-Manager of 910234 Alberta Ltd.

Witness

Gary Calmusky

Witness

Gary Calmusky,
as Executor of the Estate of Mary Calmusky

Witness

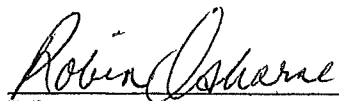
Theresa Calmusky

proceeds be insufficient to complete the Settlement Payment, Theresa Calmusky shall be indebted to the Receiver for the deficiency, payable on demand.

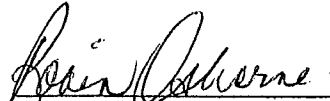
6. Theresa Calmusky shall obtain a waiver of any dower rights held by Randy Calmusky with respect to the Property to give effect to this Settlement Agreement.
7. The Parties shall exchange releases with respect to any claims against each other as of the present date, including any claims related to the judgments and any disputed claims against the Receiver and the Estate of 910 by the Calmuskys.
8. The Releases in favour of the Calmuskys shall be held in trust and may not be used until full and final payment of the Settlement Payment is made. The Release in favour of the Receiver and the Estate of 910 shall be effective immediately as of the date of this Settlement Agreement.
9. To the extent not already withdrawn, the Calmuskys shall immediately withdraw or discontinue any existing actions or applications with respect to claims against the Estate of 910. Upon registration of the Mortgage, the Receiver shall cause the Estate of 910 to adjourn any applications related to the enforcement of the Judgments *sine die* and will withdraw or discontinue such actions and shall discharge any existing writs against Theresa Calmusky, Gary Calmusky and Mary Calmusky upon payment of the Settlement Payment.
10. This Settlement Agreement shall be governed by the laws of the Province of Alberta and the laws of Canada applicable therein.
11. This Settlement Agreement may be executed in counterpart by the parties hereto and may be transmitted via facsimile or email; each executed counterpart will be deemed to be an original and the counterparts together will constitute one and the same Settlement Agreement.

DATED the ____ day of May, 2015

Per: _____
Grant Thornton Inc., in its capacity as
Receiver-Manager of 910234 Alberta Ltd.



Witness



Witness

Witness



Gary Calmusky



Gary Calmusky
as Executor of the Estate of Mary Calmusky

Theresa Calmusky

proceeds be insufficient to complete the Settlement Payment, Theresa Calmusky shall be indebted to the Receiver for the deficiency, payable on demand.

6. Theresa Calmusky shall obtain a waiver of any dower rights held by Randy Calmusky with respect to the Property to give effect to this Settlement Agreement.
7. The Parties shall exchange releases with respect to any claims against each other as of the present date, including any claims related to the judgments and any disputed claims against the Receiver and the Estate of 910 by the Calmuskys.
8. The Releases in favour of the Calmuskys shall be held in trust and may not be used until full and final payment of the Settlement Payment is made. The Release in favour of the Receiver and the Estate of 910 shall be effective immediately as of the date of this Settlement Agreement.
9. To the extent not already withdrawn, the Calmuskys shall immediately withdraw or discontinue any existing actions or applications with respect to claims against the Estate of 910. Upon registration of the Mortgage, the Receiver shall cause the Estate of 910 to adjourn any applications related to the enforcement of the Judgments *sine die* and will withdraw or discontinue such actions and shall discharge any existing writs against Theresa Calmusky, Gary Calmusky and Mary Calmusky upon payment of the Settlement Payment.
10. This Settlement Agreement shall be governed by the laws of the Province of Alberta and the laws of Canada applicable therein.
11. This Settlement Agreement may be executed in counterpart by the parties hereto and may be transmitted via facsimile or email; each executed counterpart will be deemed to be an original and the counterparts together will constitute one and the same Settlement Agreement.

DATED the 17 day of May, 2015

Per: _____
Grant Thornton Inc., in its capacity as
Receiver-Manager of 910234 Alberta Ltd.

Witness

Gary Calmusky

Witness

Gary Calmusky,
as Executor of the Estate of Mary Calmusky

Witness

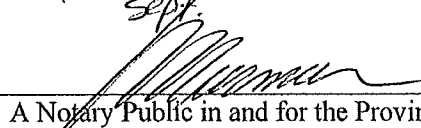
Theresa Calmusky

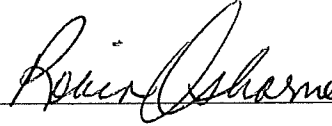
AFFIDAVIT OF EXECUTION

I, Robin Osborne, of the City of Thorold, in the Province of Ontario, MAKE OATH AND SAY:

1. THAT I was personally present and did see Gary Calmusky, as Executor of the Estate of Mary Calmusky pursuant to a Power of Attorney, named in the within instrument, who are personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein.
2. THAT the same was executed at Thorold, in the Province of Ontario, and that I am the subscribing witness thereto.
3. THAT I know the said person and he is in my belief, of the full age of eighteen.

SWORN BEFORE ME at the City of
Thorold, in the Province of Ontario, this
2nd of ~~May~~ Sept., 2015.


A Notary Public in and for the Province of Ontario

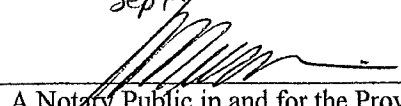


AFFIDAVIT OF EXECUTION

I, Robin Osborne, of the City of Thorold, in the Province of Ontario, MAKE OATH AND SAY:

1. THAT I was personally present and did see Gary Calmusky, named in the within instrument, who are personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein.
2. THAT the same was executed at Thorold, in the Province of Ontario, and that I am the subscribing witness thereto.
3. THAT I know the said person and he is in my belief, of the full age of eighteen.

SWORN BEFORE ME at the City of
Thorold, in the Province of Ontario, this
2nd of ~~May~~ Sept., 2015.


A Notary Public in and for the Province of Ontario



AFFIDAVIT OF EXECUTION

I, Robin Osborne, of the City of Thorold, in the Province of Ontario,
MAKE OATH AND SAY:

1. THAT I was personally present and did see Gary Calmusky, in his personal capacity and in his capacity as Executor of the Estate of Mary Calmusky pursuant to a Power of Attorney, named in the within instrument, who are personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein.
2. THAT the same was executed at Thorold, in the Province of Ontario, and that I am the subscribing witness thereto.
3. THAT I know the said person and he is in my belief, of the full age of eighteen.

SWORN BEFORE ME at the City of
Thorold, in the Province of Ontario,
on this 2 of May, 2015.

Peter J. Jurmain
A Notary Public in and for the Province of
Ontario

)
)
)
)
)

Robin Osborne

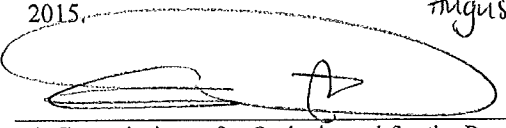
Peter J. Jurmain
Jurmain Law Office
8A Clairmont Street
Thorold, Ontario L2V 1R1
Telephone: 905-227-2829
Fax: 905-227-9206

R.C.
AFFIDAVIT OF EXECUTION

I, Randy Calmusky, of the Hamlet of Priddy's City of Calgary, in the Province of
_____, MAKE OATH AND SAY:

1. THAT I was personally present and did see Theresa Calmusky, named in the within instrument, who are personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein.
2. THAT the same was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto.
3. THAT I know the said person and she is in my belief, of the full age of eighteen.

SWORN BEFORE ME at the City of Calgary, in Q
the Province of Alberta, this 17th of May, 2015, August R.C. 10
()
()
()



A Commissioner for Oaths in and for the Province
of Alberta

ELLY PARROTT
A Commissioner for Oaths
in and for the Province of Alberta
My Commission Expires 05•30•2017



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0030 343 024 0410490;4;13 111 108 435

LEGAL DESCRIPTION
PLAN 0410490
BLOCK 4
LOT 13
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;22;29;S
ATS REFERENCE: 5;3;22;29;NW

MUNICIPALITY: MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

REFERENCE NUMBER: 091 143 908

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
111 108 435	04/05/2011	TRANSFER OF LAND	\$1,400,000	NOMINAL

OWNERS

THERESA CALMUSKY
OF 110 HAWK'S LANDING DRIVE
PRIDDIS
ALBERTA T0L 1W0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
931 148 784	25/06/1993	UTILITY RIGHT OF WAY GRANTEE - MEOTA GAS CO-OPERATIVE ASSOCIATION LIMITED. PRIDDIS ALBERTA
041 059 939	11/02/2004	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

111 108 435

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

GOVERNMENT ACT

CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO.
31.

BOX 5605

HIGH RIVER

ALBERTA T1V1M7

041 128 338 13/04/2004 RESTRICTIVE COVENANT

071 285 701 08/06/2007 CAVEAT

RE : PURCHASERS INTEREST

CAVEATOR - PRIDDIS CREEK DEVELOPMENTS LTD.

C/O 1500, 407-2 ST SW

CALGARY

ALBERTA T2P2Y3

AGENT - BROCK CARSCALLEN

091 143 909 26/05/2009 MORTGAGE

MORTGAGEE - THE TORONTO DOMINION BANK.

500 EDMONTON CITY CENTRE EAST

EDMONTON

ALBERTA T5J5E8

ORIGINAL PRINCIPAL AMOUNT: \$925,000

161 000 796 04/01/2016 RELEASE OF DOWER RIGHTS

BY - RANDY CALMUSKY

161 000 797 04/01/2016 MORTGAGE

MORTGAGEE - GRANT THORNTON LIMITED.

900, 833 - 4 AVE SW

CALGARY

ALBERTA T2P3T5

ORIGINAL PRINCIPAL AMOUNT: \$150,000

161 058 472 03/03/2016 CERTIFICATE OF LIS PENDENS

BY - ALBERTA SECURITIES COMMISSION.

FRAUDULENT PREFERENCES ACT

TOTAL INSTRUMENTS: 008

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 24 DAY OF
SEPTEMBER, 2018 AT 09:27 A.M.

ORDER NUMBER: 35942250

CUSTOMER FILE NUMBER: C0800014759



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S) .

110 Hawks Landing DR
W: 5 R: 3 T: 22 S: 29 Q: Northwest

C4192403 Active

LP: \$1,424,900 **SP:**
OP: \$1,499,900 **PD:**
CDOM: 74 **DOM:** 74
Area: Priddis Greens
Total Acreage: 0.50
Community: Hawks Landing HKL
Postal Code: T0L 1W0
Condo Type: Not a Condo
Possession: 60/Negotiable
LP/SF: \$575.7
Tax Amt/Yr: \$6,440/2016
Local Imp Amt:
HOA: Yes/\$380/Annually
Condo Fee:



Class: Detached
Type: Detached
Style: Bungalow
Year Built: 2009
LINC #: 0030343024
Legal Plan: 0410490 **Blk:** 4 **Lot:** 13
Land Use: R1 **New Hm:**
Title to Land: Fee Simple
Conform Rpt:
Restrictions: Utility Right Of Way

Member Only Remarks: 24 hr notice - Please use ShowingTime. No sign on property. Call Hripko & Nelson with all questions and offers. Send offers to josh@ripco.ca or fax to 403-592-6719. As per the seller's request, all deposits must be in the form of a bank draft and made payable to Royal LePage Benchmark.

Nestled among mature trees, backing onto the 14th hole of the esteemed Priddis Green G&CC, this stunning custom built 2475 Sq Ft walkout bungalow enjoys unobstructed rear yard views to the course, nature at its best & a professionally landscaped yard with side access stairs, fire pit & a covered patio. This contemporary styled residence presents a grande entry with 2-storey cathedral ceiling through to the rear of the home and grand sweeping staircase to the lower walkout level. Main level features office/library, entertaining sized formal dining room, walk thru pantry & laundry. The gourmet kitchen boasts a massive centre island & top quality appliances. The Master retreat is spacious with commanding views of the treed oasis + golf course, an exceptional walk in closet and spa inspired ensuite. The walkout features 10' ceilings, radiant floor heating, open media centre, family room with fireplace, an entertaining sized bar, 2nd office or workout area, 2 bedrooms & utility room.

Directions: West on 22X to Priddis Greens Drive, left on Priddis Greens Dr, right onto Hawks Landing Drive.

Rooms & Measurements				Bedrooms A/T: 1/3 Rms Abv: 7 F/H Baths: 2/1					
Room Type	Dim/M	Dim/Ft	Level	Room Type	Dim/M	Dim/Ft	Level	2P	3P
Living Rm	6.4X5.2	20'11"X17'0"	M	Dining Rm	4.4X3.6	14'7"X11'9"	M	1	1
Kitchen	5.2X4.4	17'1"X14'4"	M	Bkfst Nook	4.4X3.6	14'4"X11'8"	M	0	0
Den	5.0X3.3	16'6"X10'11"	M	Mstr Bed	5.5X5.0	18'1"X16'6"	M	0	0
Laundry	4.0X2.9	13'2"X9'6"	M	Family Rm	6.9X4.2	22'8"X13'11"	L	1	0
Game Rm	6.3X4.9	20'6"X15'11"	L	Bedroom	3.6X3.4	11'10"X11'0"	L		
Bedroom	4.9X3.4	15'11"X11'0"	L						
								Sq Ft	
								Main:	
								Upper:	
								Above Grade:	
								Lower:	
								Below Grade:	
								Total A.G.	

Property Information			
Basement:	Full, Walkout/Walk Up-Fully Finished	Bsmnt Dev Permit:	
Suite:	Suite - None	Heating:	Forced Air-2, In Floor Heat System
Construction:	Wood Frame	Fin FP/Rgh-In:	2/
Foundation:	Concrete	Lot Shape:	Rectangular
Exterior:	Stone, Stucco	Lot Sq M:	2,023.41 m2/ 0.50 Acres
Roof Type:	Asphalt Shingles	Frntg X Depth:	97.9
Front Exp:	North	Flooring:	Carpet, Hardwood, Non-Ceramic Tile
Garage Dim:	38'3" x 25'5"		
Parking:	6/Triple Garage Attached, Heated		
Features:	Air Conditioning-Central, Ceiling 10 ft., Deck, Fire Pit, Patio, Sprinkler System-Underground		
Site Influences:	Backs Onto Park/Trees, Cul-De-Sac, Golf Nearby, Landscaped, No Back Lane, No Through Road, Private Setting, Sloping Lot, View		
Goods Included:	Air Conditioning-Central, Alarm/Security System, Dishwasher-Built-In, Dryer, Garage Control, Garage Opener, Hood Fan, Oven-Microwave, Stove		
Goods Excluded:	-Gas, Washer, Window Coverings-All, Wine/Beverage Cooler		
HOA:	Yes/\$380/Annually		
HOA Fee Incl:	Amenities Associated With HOA/Condo		

Rural			
911 Address:		Heating Desc:	Paid For
Road Access:	Paved	Power Desc:	Paid For
Water Supply:	Co-Operative	Phone Desc:	
Water GPM:		Sewer/Septic:	Municipal/Community
Depth of Well:		Yr Sewer Cleaned:	
Water Report Yr:			
Bus Svc:			
Nearest Town:			
School District:	Foothills MD	Jr/Mid Schl:	
Elem School:		Other School:	
High School:			
School Bus:			
		Total Acres:	0.50
		Acres Cleared:	
		Acres Cult:	
		Acres Pasture:	
		Acres Fenced:	
		Acres Irrigated:	
		Acres Water Rights:	
		Acres Leasehold:	
		# Parcels:	
		LP/Acre:	\$2,849,800.00

Agent & Office Information			
List REALTOR®:	John Hripko john@ripco.ca	Appt:	24 Hours Notice Required, ShowingTime
List Firm:	ROYAL LEPAGE BENCHMARK	Appt Nm:	ShowingTime 000-000-0000
List REALTOR® 2:	Josh Nelson josh@ripco.ca	Phone:	(403) 245-4477
List Firm 2:	ROYAL LEPAGE BENCHMARK	List REALTOR® 3:	
Comm:	3.5/1.5	Fax:	
Seller:	Calmusky	Occupancy:	Seller
Ownership:	Private		
Exclusion/SRR:	No/No		
		List Date:	07/12/2018
		Expiry Date:	

MLS®#	Effective Date	Change Type	Field	Price	DOM	Agent
C4192403	08/22/2018	Price Decrease	ListPrice	\$1,424,900	41	CHRIKJO
C4192403	07/12/2018	New Listing	Status	\$1,499,900		CHRIKJO
C4145272	05/31/2018	Expired	Status	\$1,499,900	204	CHRIKJO
C4145272	11/09/2017	New Listing	Status	\$1,499,900		CHRIKJO
C4099463	10/31/2017	Expired	Status	\$1,499,900	257	CHRIKJO
C4099463	02/17/2017	New Listing	Status	\$1,499,900		CHRIKJO

Printed: 09/24/2018

INFORMATION HEREIN DEEMED RELIABLE BUT NOT GUARANTEED. AS OF 2017 MEASUREMENTS ARE PER RESIDENTIAL MEASUREMENT STANDARDS (RMS).

Elvin Hussein

From: Elvina Hussein
Sent: Tuesday, October 13, 2015 11:04 AM
To: Rinus de Waal (rdewaal@dewaallaw.com); 'Luke Rasmussen'
Cc: Odhams, Guy <Guy.Odhams@ca.gt.com> (Guy.Odhams@ca.gt.com); Andrew H. Basi
 CA-CIRP (Andrew.Basi@ca.gt.com); breanne.scott@ca.gt.com; Valerie Lock
 (valerie.lock@ca.gt.com)
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: Letter to De Waal - October 13 2015 (C2338472x9D71A).pdf

Good morning. Please see attached.

Thank you

Elvina Hussein

[Address](#) | [vCard](#)

Legal Assistant

T 403-232-1797

F 403-264-7084

ehussein@fieldlaw.com

400 - 604 1ST SW
 Calgary AB T2P 1M7

fieldlaw.com



This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law" and the Field Law logo are registered trademarks of Field LLP.
 "Field Law" is a registered trade name of Field LLP.

Douglas S. Nishimura
direct line: 403 260-8548
fax: 403 264-7084
e-mail: dnishimura@fieldlaw.com

Assistant: Elvina Hussein
direct line: 403 232-1797
e-mail: ehussein@fieldlaw.com

October 13, 2015

Our File: 56679-3

VIA EMAIL

De Waal Law
1010, 505 - 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

Re: Stanley Eisenberg et al v. 910234 Alberta Ltd. ("910") et al
Court of Queen's Bench Action No.: 1201 15430

Further to your correspondence of August 25, 2015 and October 2, 2015, we now acknowledge receipt of the executed documents in proper form. However, your trust conditions are not accord with the agreement. They must be amended to provide that upon registration of the Mortgage and Dower Release, the documents in question are to be delivered to you. They are not to be provided before registration as you indicated. As well, please advise as to when your client will be listing the house for sale, which should happen immediately.

Yours truly,
FIELD LLP



Douglas S. Nishimura

DE WAAL LAW
— BARRISTERS —

SUITE 1010
505 – 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@pdwlaw.com

VIA EMAIL

December 1, 2015

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

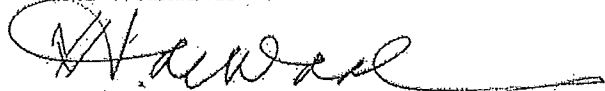
Dear Sir:

Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

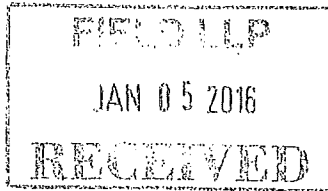
Please confirm that the Receiver agrees that the home may be listed for sale with Anne Lindsay of Remax.

Yours truly,

DE WAAL LAW



Rinus de Waal



SUITE 1010
505 - 3RD STREET SW
CALGARY, ALBERTA T2P 3B6
MAIN: 403.266.0012
FAX: 403.266.2632

DE WAAL LAW
— BARRISTERS —

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@pdwlaw.com

January 4, 2016

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

Dear Sir:

Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

I confirm that the home has been listed for sale with Anne Lindsay.

Yours truly,

DE WAAL LAW

Rinus de Waal

Elvina Hussein

From: Elvina Hussein
Sent: February-18-16 3:26 PM
To: Rinus de Waal (rdewaal@dewaallaw.com)
Cc: Douglas Nishimura; Odhams, Guy <Guy.Odhams@ca.gt.com>
(Guy.Odhams@ca.gt.com); Andrew H. Basi CA-CIRP (Andrew.Basi@ca.gt.com);
breanne.scott@ca.gt.com
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: Letter to De Waal - Feb 18 2016 (C2490501x9D71A).pdf

Good afternoon. Please see attached.

Thank you

Elvina Hussein

[Address](#) | [vCard](#)

Legal Assistant

T 403-232-1797

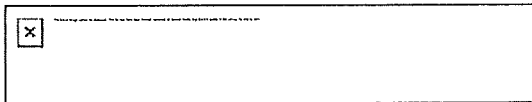
400 - 604 1ST SW

F 403-264-7084

Calgary AB T2P 1M7

ehussein@fieldlaw.com

fieldlaw.com



This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law" and the Field Law logo are registered trademarks of Field LLP.

"Field Law" is a registered trade name of Field LLP.

Douglas S. Nishimura
direct line: 403 260-8548
fax: 403 264-7084
e-mail: dnishimura@fieldlaw.com

Assistant: Elvina Hussein
direct line: 403 232-1797
e-mail: ehussein@fieldlaw.com

February 18, 2016

Our File: 56679-3

VIA EMAIL

De Waal Law
1010, 505 – 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

Re: Stanley Eisenberg et al v. 910234 Alberta Ltd. ("910") et al
Court of Queen's Bench Action No.: 1201 15430

Further to the above noted matter, we are writing to follow up with respect to the status of the listing of 110 Hawks Landing with Anne Lindsay of Re/Max. Kindly advise if you are in agreement with our office contacting Anne Lindsay directly for updates regarding same.

Yours truly,
FIELD LLP



Douglas S. Nishimura



Elvina Hussein

From: Rinus de Waal <rdewaal@dewaallaw.com>
Sent: February-29-16 1:07 PM
To: Elvina Hussein
Subject: RE: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: LT FIELD.pdf

Please see the attached letter.

DE WAAL LAW
— BARRISTERS —

Rinus de Waal
Direct: 403.266.0013
Main: 403.266.0012 | Fax: 403.266.2632
1010, 505 – 3rd Street S.W. Calgary, AB T2P 3E6
www.dewaallaw.com

This email and any attachments may contain privileged and confidential information and is intended only for the named recipients. If you have received this email in error, please notify me and destroy the email.

DE WAAL LAW

BARRISTERS

SUITE 1010
505 — 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@dewaallaw.com

VIA EMAIL

February 29, 2016

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

Dear Sir:

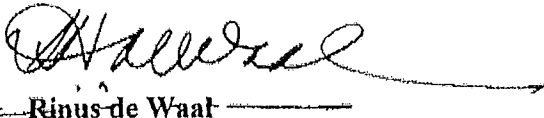
Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

In response to your letter of February 18, 2016, I am instructed that the 110 Hawks Landing property has not been sold yet.

I have also been instructed to request your client to confirm that another realtor, Medorann Boucher-Plante of CIR Realty, will be acceptable to the Receiver.

Yours truly,

DE WAAL LAW



Rinus de Waal

Elvina Hussein

From: Elvina Hussein
Sent: March-09-16 12:26 PM
To: Rinus de Waal (rdewaal@dewaallaw.com)
Cc: Odhams, Guy <Guy.Odhams@ca.gt.com> (Guy.Odhams@ca.gt.com); Andrew H. Basi
CA-CIRP (Andrew.Basi@ca.gt.com); Douglas Nishimura; breanne.scott@ca.gt.com
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: Letter to De Waal - March 9 2016 (C2513113x9D71A).pdf

Good afternoon. Please see attached.

Thank you

Elvina Hussein

[Address](#) | [vCard](#)

Legal Assistant

T 403-232-1797

400 - 604 1ST SW

F 403-264-7084

Calgary AB T2P 1M7

ehussein@fieldlaw.com

fieldlaw.com



This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law" and the Field Law logo are registered trademarks of Field LLP.
"Field Law" is a registered trade name of Field LLP.

Douglas S. Nishimura
direct line: 403 260-8548
fax: 403 264-7084
e-mail: dnishimura@fieldlaw.com

Assistant: Elvina Hussein
direct line: 403 232-1797
e-mail: ehusein@fieldlaw.com

Our File: 56679-3

March 9, 2016

VIA EMAIL

De Waal Law
1010, 505 – 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

**Re: Stanley Eisenberg et al v. 910234 Alberta Ltd. ("910") et al
Court of Queen's Bench Action No.: 1201 15430**

We confirm that listing the 110 Hawks Landing property with Medorann Boucher-Plante of CIR Realty is acceptable by the Receiver. Please advise if the listing price will remain at \$1,520,000.

We note that we still have not received a response to our correspondence of February 18, 2016. Accordingly, kindly advise if you are in agreement with the Receiver or our office contacting Medorann Boucher-Plante directly for updates regarding same.

Yours truly,
FIELD LLP



Douglas S. Nishimura



DE WAAL LAW
BARRISTERS

SUITE 1010
505 – 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@dewaallaw.com

VIA EMAIL

March 14, 2016

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

Dear Sir:

Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

In response to your letter of March 9, 2016, approving Medorann Boucher-Plante as realtor, I am instructed that she advised by email on March 7, 2016 that her workload had increased and that she was no longer able to take on the listing of the 110 Hawks Landing property.

I will let you know as soon as another realtor has been identified.

Yours truly,

DE WAAL LAW



Rinus de Waal

DE WAAL LAW
BARRISTERS

SUITE 1010
505 -- 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@dewaallaw.com

VIA EMAIL

March 30, 2016

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

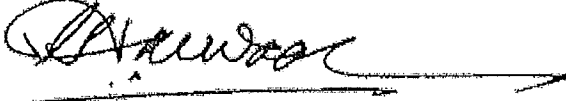
Dear Sir:

Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

Further to my letter of March 14, 2016, please confirm that listing the 110 Hawks Landing property with Brett Murrell of CIR Realty will be acceptable to the Receiver.

Yours truly,

DE WAAL LAW


Rinus de Waal

DE WAAL LAW
— BARRISTERS —

SUITE 1010
505 – 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@dewaallaw.com

VIA EMAIL

April 20, 2016

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

Dear Sir:

Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

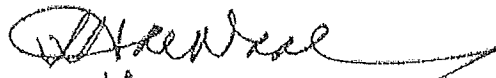
I have not had a response to my letter of March 30, 2016 yet.

The home is not presently listed. This means that my client is not able to take advantage of the spring marketing season, for the mutual benefit of our respective clients.

Let me know if listing the property with Brett Murrell of CIR Realty is acceptable to the Receiver, please.

Yours truly,

DE WAAL LAW


Rinus de Waal

Elvina Hussein

From: Elvina Hussein <EHussein@fieldlaw.com>
Sent: April-25-16 11:37 AM
To: Rinus de Waal (rdewaal@dewaallaw.com)
Cc: Odhams, Guy <Guy.Odhams@ca.gt.com> (Guy.Odhams@ca.gt.com); Andrew H. Basi CA-CIRP (Andrew.Basi@ca.gt.com); breanne.scott@ca.gt.com; Douglas Nishimura
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: Letter to De Waal - April 25 2016 (C2564939x9D71A).pdf

Good morning. Please see attached.

Thank you

Elvina Hussein
Legal Assistant

Address<http://www.fieldlaw.com/calgary_office.asp> |
vCard<<http://www.fieldlaw.com/extra2/getvcard3.asp?fname=Elvina&lname=Hussein>>

T 403-232-1797
F 403-264-7084

ehussein@fieldlaw.com

400 - 604 1ST SW
Calgary AB T2P 1M7

fieldlaw.com

[Field Law]<<http://www.fieldlaw.com/>>

This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law" and the Field Law logo are registered trademarks of Field LLP.
"Field Law" is a registered trade name of Field LLP.

Douglas S. Nishimura
direct line: 403 260-8548
fax: 403 264-7084
e-mail: dnishimura@fieldlaw.com

Assistant: Elvina Hussein
direct line: 403 232-1797
e-mail: ehussein@fieldlaw.com

Our File: 56679-3

April 25, 2016

VIA EMAIL

De Waal Law
1010, 505 – 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

Re: Stanley Eisenberg et al v. 910234 Alberta Ltd. ("910") et al
Court of Queen's Bench Action No.: 1201 15430

Our client has now had an opportunity to review your correspondence of April 20, 2016. We can advise the our client is eager to have the property listed as soon as possible however, does not feel that the choice of realtor is the best due to the amount of experience Mr. Murrell has indicated on his profile. Accordingly, our client would be more than happy to provide you and your client with names of realtors they recommend. Our client also feels that a revised market analysis should be conducted based on the current environment.

As outlined in our previous correspondence to you kindly advise if you are in agreement with the Receiver or our office contacting the realtor directly for updates regarding same.

Yours truly,
FIELD LLP



Douglas S. Nishimura



DE WAAL LAW
— BARRISTERS —

SUITE 1010
505 – 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403.266.0013
rdewaal@dewaallaw.com

VIA EMAIL

May 20, 2016

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

Dear Sir:

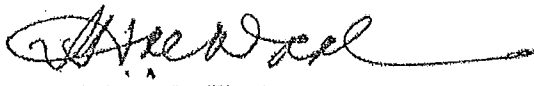
Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

Let me know if listing the property with Mark Milne of Houston Realty is acceptable to the Receiver, please.

My client does not agree that the Receiver or your office may contact the realtor directly.

Yours truly,

DE WAAL LAW



Rinus de Waal

Elvina Hussein

From: Elvina Hussein
Sent: Wednesday, July 06, 2016 11:26 AM
To: Rinus de Waal (rdewaal@dewaallaw.com)
Cc: Douglas Nishimura
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: LT Field.pdf

Good morning. We confirm that the Realtor is acceptable. Kindly provide our office with a weekly update from the realtor or your client on showings, activity etc.

Thank you

FIELD LAW  **Elvina Hussein** | Legal Assistant
T 403-232-1797 | F 403-264-7084 | ehussein@fieldlaw.com
400 - 604 1ST SW, Calgary AB T2P 1M7

"Field Law" and the Field Law logo are registered trademarks of Field LLP. "Field Law" is a registered trade name of Field LLP.

From: Rinus de Waal [<mailto:rdewaal@dewaallaw.com>]
Sent: Friday, May 20, 2016 1:49 PM
To: Elvina Hussein
Cc: Douglas Nishimura
Subject: RE: Eisenberg et al v. 910234 Alberta Ltd. et al

Please see the attached letter.

DE WAAL LAW  **BARRISTERS**  **Rinus de Waal**
Direct: 403.266.0013
Main: 403.266.0012 | Fax: 403.266.2632
1010, 505 - 3rd Street S.W. Calgary, AB T2P 3E6
www.dewaallaw.com

This email and any attachments may contain privileged and confidential information and is intended only for the named recipients. If you have received this email in error, please notify me and destroy the email.

Elvina Hussein

From: Elvina Hussein <EHussein@fieldlaw.com>
Sent: July-22-16 12:52 PM
To: Rinus de Waal (rdewaal@dewaallaw.com)
Cc: Douglas Nishimura; Andrew H. Basi CA-CIRP (Andrew.Basi@ca.gt.com); breanne.scott@ca.gt.com
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: Letter to De Waal - July 22 2016 (C2686426x9D71A).pdf

Good afternoon. Please see attached.

Thank you

Elvina Hussein
Legal Assistant

Address<http://www.fieldlaw.com/calgary_office.asp> |
vCard<<http://www.fieldlaw.com/extra2/getvcard3.asp?fname=Elvina&lname=Hussein>>

T 403-232-1797
F 403-264-7084

ehussein@fieldlaw.com

400 - 604 1ST SW
Calgary AB T2P 1M7

fieldlaw.com

[Field Law]<<http://www.fieldlaw.com/>>

This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law" and the Field Law logo are registered trademarks of Field LLP.
"Field Law" is a registered trade name of Field LLP.

Douglas S. Nishimura
direct line: 403 260-8548
fax: 403 264-7084
e-mail: dnishimura@fieldlaw.com

Assistant: Elvina Hussein
direct line: 403 232-1797
e-mail: ehussein@fieldlaw.com

Our File: 56679-3

July 22, 2016

VIA EMAIL

De Waal Law
1010, 505 – 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

Re: Stanley Eisenberg et al v. 910234 Alberta Ltd. ("910") et al
Court of Queen's Bench Action No.: 1201 15430

Upon review of the Houston Realty website, we note that the property has not as yet been listed. Kindly advise our office as to status of your client's sales efforts.

Yours truly,
FIELD LLP



Douglas S. Nishimura



Elvina Hussein

From: Rinus de Waal <rdewaal@dewaallaw.com>
Sent: September-06-16 3:38 PM
To: Elvina Hussein
Cc: Douglas Nishimura
Subject: RE: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: LT Nishimura.pdf

Please see the attached letter.

DE WAAL LAW
BARRISTERS

Rinus de Waal
Direct: 403.266.0013
Main: 403.266.0012 | Fax: 403.266.2632
1010, 505 - 3rd Street S.W., Calgary, AB T2P 3E6
www.dewaallaw.com

This email and any attachments may contain privileged and confidential information and is intended only for the named recipients. If you have received this email in error, please notify me and destroy the email.

DE WAAL LAW

— BARRISTERS —

SUITE 1010
505 – 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@dewaallaw.com

VIA EMAIL

September 6, 2016

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

Dear Sir:

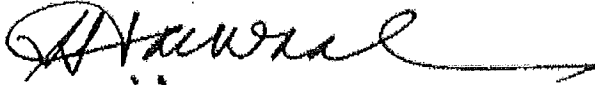
Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

I have been advised that in light of the registration of a charge on title by the ASC, Houston Realty is no longer prepared to list the property.

Please advise if listing the property with Ron Hripko of Royal LePage is acceptable to the Receiver.

Yours truly,

DE WAAL LAW



~~Rinus de Waal~~

Elvina Hussein

From: Elvina Hussein <EHussein@fieldlaw.com>
Sent: November-02-16 7:44 AM
To: Rinus de Waal (rdewaal@dewaallaw.com)
Cc: Douglas Nishimura
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: image001.png; Letter to De Waal - November 2, 2016 (C2818641x9D71A).pdf

Good morning. Please see attached.

Thank you

Elvina Hussein
Legal Assistant

Address<http://www.fieldlaw.com/calgary_office.asp> |
vCard<<http://www.fieldlaw.com/extra2/getvcard3.asp?fname=Elvina&lname=Hussein>>

T 403-232-1797
F 403-264-7084

ehussein@fieldlaw.com

400 - 604 1ST SW
Calgary AB T2P 1M7

fieldlaw.com

[Field Law]<<http://www.fieldlaw.com/>>

This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law" and the Field Law logo are registered trademarks of Field LLP.
"Field Law" is a registered trade name of Field LLP.

Douglas S. Nishimura
direct line: 403 260-8548
fax: 403 264-7084
e-mail: dnishimura@fieldlaw.com

Assistant: Elvina Hussein
direct line: 403 232-1797
e-mail: ehussein@fieldlaw.com

Our File: 56679-3

November 2, 2016

VIA EMAIL

De Waal Law
1010, 505 – 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

**Re: Stanley Eisenberg et al v. 910234 Alberta Ltd. ("910") et al
Court of Queen's Bench Action No.: 1201 15430**

Further to your correspondence of September 6, 2016, we confirm that Ron Hripko of Royal LePage is acceptable. Please advise immediately once the property has been listed.

Yours truly,
FIELD LLP



Douglas S. Nishimura



Elvina Hussein

From: Elvina Hussein
Sent: January-06-17 11:50 AM
To: Rinus de Waal (rdewaal@dewaallaw.com)
Cc: Douglas Nishimura
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: Letter to De Waal - January 6, 2017 (C2919635x9D71A).pdf

Good morning. Please see attached.

Thank you

Elvina Hussein

Legal Assistant

T 403-232-1797

F 403-264-7084

ehussein@fieldlaw.com

[Address](#) | [vCard](#)

400 - 604 1ST SW
Calgary AB T2P 1M7

fieldlaw.com



Because Clarity Matters?



**We're flying off to our new offices –
please update your records as follows:**

CALGARY OFFICE (as at Jan 23, 2017)
400 - 444 7 AVE SW
Calgary AB T2P 0X8

EDMONTON OFFICE (as at Dec 12, 2016)
2500 - 10175 101 ST NW
Edmonton AB T5J 0H3

This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law," the logo and "Because Clarity Matters" are registered trademarks of Field LLP.
"Field Law" is a registered trade name of Field LLP.

Douglas S. Nishimura
direct line: 403 260-8548
fax: 403 264-7084
e-mail: dnishimura@fieldlaw.com

Assistant: Elvina Hussein
direct line: 403 232-1797
e-mail: ehussein@fieldlaw.com

Our File: 56679-3

January 6, 2017

VIA EMAIL

De Waal Law
1010, 505 – 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

Re: Stanley Eisenberg et al v. 910234 Alberta Ltd. ("910") et al
Court of Queen's Bench Action No.: 1201 15430

Further to our correspondence of November 2, 2016, please advise our office immediately if the property has been listed for sale by no later than the close of business on Monday, January 9, 2017, as well as providing information on any offers received since the Settlement Agreement was signed.

Yours truly,
FIELD LLP



Douglas S. Nishimura

Elvina Hussein

From: Rinus de Waal <rdewaal@dewaallaw.com>
Sent: February-21-17 1:58 PM
To: Elvina Hussein
Subject: RE: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: LT DSN.pdf

Please see the attached letter.

DE WAAL LAW
— BARRISTERS —

Rinus de Waal
Direct: 403.266.0013
Main: 403.266.0012 | Fax: 403.266.2632
1010, 505 – 3rd Street S.W. Calgary, AB T2P 3E6
www.dewaallaw.com

This email and any attachments may contain privileged and confidential information and is intended only for the named recipients. If you have received this email in error, please notify me and destroy the email.

DE WAAL LAW
— BARRISTERS —

SUITE 1010
505 – 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403.266.0012
FAX: 403.266.2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@dewaallaw.com

VIA EMAIL

February 21, 2017

Field Law
400-604 1st St SW
Calgary, AB T2P 1M7

Attention: Douglas S. Nishimura

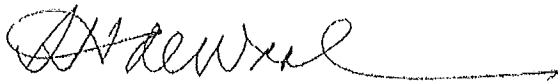
Dear Sir:

Re: Eisenberg et al. v. 910234 Alberta Ltd. et al.

I am advised that the property has been listed for sale.

Yours truly,

DE WAAL LAW



Rinus de Waal

Elvina Hussein

From: Elvina Hussein
Sent: December-21-17 9:16 AM
To: 'rdewaal@dewaallaw.com'
Cc: Douglas Nishimura; Andrew H. Basi CA-CIRP (Andrew.Basi@ca.gt.com)
Subject: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: Letter to De Waal - Dec 21 2017 (C3428452x9D71A).pdf

Good morning. Please see attached.

Thank you

Elvina Hussein

[Address](#) | [vCard](#)

Legal Assistant

T 403-232-1797

F 403-264-7084

ehussein@fieldlaw.com

400 – 444 7 AVE SW

Calgary AB T2P 0X8

fieldlaw.com

FIELD LAW



This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law," the logo and "Because Clarity Matters" are registered trademarks of Field LLP. "Field Law" is a registered trade name of Field LLP.



400 - 444 7 AVE SW
Calgary AB T2P 0X8
fieldlaw.com

CALGARY / EDMONTON / YELLOWKNIFE

Douglas Nishimura
Partner
T 403-260-8548
F 403-264-7084
dnishimura@fieldlaw.com
Assistant: Elvina Hussein
T 403-232-1797
ehussein@fieldlaw.com
Our File: 56679-3

December 21, 2017

VIA EMAIL

De Waal Law
1010, 505 – 3 Street S.W.
Calgary, AB T2P 3E6

Attention: Rinus de Waal

Dear Sir:

Re: Stanley Eisenberg, et al v. 910234 Alberta Ltd. et al
Court of Queen's Bench Action No.: 1201 15430

As you are aware, we act for Grant Thornton Limited, the Receiver/Manager of 910234 Alberta Ltd. (the "Receiver"). We refer to a Settlement Agreement dated August 17, 2015 between our client and Teresa, Gary, and Mary Calmusky, (the "Settlement Agreement") and the Mortgage against the property at 110 Hawks Landing Drive in Priddis, Alberta (the "Property") held by the Receiver in conjunction with therewith.

Further, on November 2, 2016, we confirmed to you that Ron Hripko of Royal LePage was acceptable as a realtor for the Property. We requested confirmation that the Property had been listed. We did not receive such confirmation. On January 6, 2017, we requested confirmation that the Property been listed for sale no later than close of business on January 9, 2017, as well as any information regarding any offers received since the Settlement Agreement was signed. We did not receive any response to this letter at all.

It has been almost a year since our previous correspondence without any information having been provided by you or your client to the Receiver. We are not aware as to whether Mr. Hripko remains the realtor, whether any offers have been received or whether there have been any changes to the listing.

Accordingly, we request the following information be provided on or before December 29, 2017:

1. A copy of the current listing for the Property;
2. The Identity the contact information for the current realtor and written confirmation that the said realtor is at liberty to disclose information about the Property, the listing and any offers to the Receiver;

3. Copies of all offers received for the Property; and
4. Confirmation of the amount owing and that no further advances have been made with respect to the first mortgage on the Property and that no further encumbrances have been registered against the Property.

Failing receipt of the foregoing, we shall seek remedies from the Court on an immediate basis.

Yours truly,

FIELD LLP

A handwritten signature in black ink, appearing to read 'D. Nishimura', with a large, stylized flourish at the end.

Douglas S. Nishimura

DSN/eh

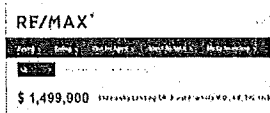
Elvina Hussein

From: Rinus de Waal <rdewaal@dewaallaw.com>
Sent: January-09-18 4:14 PM
To: Douglas Nishimura
Subject: RE: Eisenberg et al v. 910234 Alberta Ltd. et al
Attachments: LT DSN.PDF

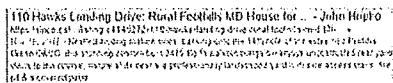
Mr. Nishimura,

I have responded to your letters of November 2, 2016 and January 6, 2017. I wrote to you on February 21, 2017, to confirm that the home had been listed for sale. I attach another copy of my letter, if you did not receive the first one.

I did a Google search on the address when I received your email. The very first search result appears to confirm that the property is still listed, for \$1,499,900:



I then added "Hripko" to the search and found the home listed by "hripko/nelson & associates", with a posting apparently dated or updated on November 16, 2017.



So it seems that the listing is still with John Hripko and is still active. In any event, I have sent a copy of your letter to my client, but I was away from my office until last week and do not have a reply yet. I have followed up and will get back to you after the end of this week.

You had asked before whether the Receiver can communicate directly with the realtor and my client was not prepared to agree. I do not expect her position to have changed, but I have asked, as I've said.

Rinus

DE WAAL LAW
—BARRISTERS—

Rinus de Waal
Direct: 403.266.0013
Main: 403.266.0012 | Fax: 403.266.2632
1010, 505 -- 3rd Street S.W. Calgary, AB T2P 3E6
www.dewaallaw.com

This email and any attachments may contain privileged and confidential information and is intended only for the named recipients. If you have received this email in error, please notify me and destroy the email.

From: Douglas Nishimura [<mailto:DNishimura@fieldlaw.com>]
Sent: Tuesday, January 09, 2018 2:59 PM
To: Rinus de Waal <rdewaal@dewaallaw.com>
Cc: Andrew H. Basi CA-CIRP (Andrew.Basi@ca.gt.com) <Andrew.Basi@ca.gt.com>
Subject: FW: Eisenberg et al v. 910234 Alberta Ltd. et al

Dear Mr. De Waal:

I have not heard from you with respect to our Dec. 21, 2017 letter, and I am therefore about to prepare an application as set out therein. However, I am prepared to wait until the end of business tomorrow to hear from you before I obtain the Receiver's Report and file the application.

Regards,

Doug Nishimura



Douglas S Nishimura | Partner
T 403-260-8548 | F 403-264-7084 | dnishimura@fieldlaw.com
400 – 444 7 AVE SW, Calgary AB T2P 0X8

"Field Law" and the Field Law logo are registered trademarks of Field LLP. All rights reserved.

From: Elvina Hussein

Sent: Thursday, December 21, 2017 9:16 AM

To: 'rdewaal@dewaallaw.com'

Cc: Douglas Nishimura; Andrew H. Basi CA-CIRP (Andrew.Basi@ca.gt.com)

Subject: Eisenberg et al v. 910234 Alberta Ltd. et al

Good morning. Please see attached.

Thank you

Elvina Hussein

[Address](#) | [vCard](#)

Legal Assistant

T 403-232-1797

F 403-264-7084

ehussein@fieldlaw.com

400 – 444 7 AVE SW

Calgary AB T2P 0X8

fieldlaw.com



This message (including any attachments) is for the addressee(s) only and may contain information that is privileged, confidential or exempt from disclosure. If you have received this message in error please immediately notify the sender and delete this email message and any attachments.

"Field Law," the logo and "Because Clarity Matters" are registered trademarks of Field LLP. "Field Law" is a registered trade name of Field LLP.

Elvina Hussein

From: Betty Johnson <bjohnson@dewaallaw.com>
Sent: March-13-18 10:07 AM
To: Douglas Nishimura
Subject: Eisenberg v. 910234 Alberta Ltd. et al
Attachments: LT Service List re. Notice of Withdrawal Filed March 2, 2018 (00026637xC0AF1).pdf;
Notice of Withdrawal Filed March 2, 2018 (00026477xC0AF1).pdf

Please see attached letter and Notice of Withdrawal sent on behalf of Rinus de Waal.

Regards,

DE WAALLAW
——BARRISTERS——

Betty Johnson

Legal Assistant & Office Manager

Main: (403) 266-0012 | Fax: (403) 266-2632

1010, 505 – 3rd Street S.W. Calgary, AB T2P 3E6

www.dewaallaw.com

This email and any attachments may contain privileged and confidential information and is intended only for the named recipients. If you have received this email in error, please notify me and destroy the email.

Please note my hours are 8:00 a.m. – 4:00 p.m., Monday to Friday.

DE WAAL LAW
BARRISTERS

SUITE 1010
505 - 3RD STREET SW
CALGARY, ALBERTA T2P 3E6
MAIN: 403-266-0012
FAX: 403-266-2632

RINUS DE WAAL
DIRECT 403-266-0013
rdewaal@dewaallaw.com

Our File No.: 164.001

March 12, 2018

See Attached Service List

Dear Madams/Sirs:

Re: Eisenberg et al v. 910234 Alberta Ltd.
Court of Queen's Bench Action No. 1201-15430

With respect to the above mentioned matter, enclosed for service upon you is our Notice of Withdrawal of Lawyer of Record filed on March 2, 2018 relative to the Defendant, Theresa Calumsky.

Yours truly,

DE WAAL LAW


Rinus de Waal

/bj

Enclosures

EISENBERG ET AL v. 910234 ALBERTA LTD. ET AL
Court of Queen's Bench Action No. 1201-15430

SERVICE LIST

Parties	Address/Fax No./Email	Counsel For
Stanley Eisenberg, Brenda Eisenberg, Jack Eisenberg, Lynn Eisenberg and Eisenberg's Properties Ltd.	Address: 7300 Railway Street S.E. Calgary, AB T2H 3A8	Plaintiffs
Michael A. Loberg Professional Corporation Attention: Michael A. Loberg	Address: 1000, 888 – 3 rd Street S.W. Calgary, AB T2P 5C5 Facsimile: 403-668-6505 Email: mloberg@loberg-law.com	910234 Alberta Ltd. and Randy Calmusky
Theresa Calmusky	Address: 110 Hawk's Landing Drive Priddis, AB T0L 1W0	Defendant
Kyle Calmusky	Address: 1200, 308 – 4 th Avenue S.W. Calgary, AB T2P 2S6 Email: kylecalmusky@gmail.com	Defendant
Cale Humeniuk	Email: calehumeniuk@gmail.com	Defendant
Jordan Rintoul	Address: 4668 – 25 th Street S.E. Calgary, AB T2B 3M2 Email: jrintoul@wm.com	Defendant
Ryan Calmusky	Address: 2100, 330 – 5 th Avenue S.W. Calgary, AB T2P 0L3 Email: rcalmusky@gmail.com	Defendant
Grant Thornton Limited	Address: 1100, 332 – 6 th Avenue S.W. Calgary, AB T2P 0W4 Facsimile: 403-260-2571	Receiver/Manager of 910234 Alberta Ltd.
Field LLP Attention: Douglas S. Nishimura	Address: 400, 444 – 7 th Avenue S.W. Calgary, AB T2P 0X8 Facsimile: 403-264-7084 Email: dnishimura@fieldlaw.com	Grant Thornton Limited
Office of the Superintendent of Bankruptcy	Address: 400, 639 – 5 th Avenue S.W. Calgary, AB T2P 0M9 Facsimile: 403-292-5188	
Masuch Albert LLP Attention: Gerald Masuch	Address: 209, 10836 – 24 th Street S.E. Calgary, AB T2Z 4C9 Facsimile: 403-543-1111 Email: gerald.masuch@manlaw.com	
Canadian Western Trust Attention: Jessi Takhar	Address: 600 – 750 Cambie Street Vancouver, B.C. V6B 0A2 Email: jaspreet.takhar@cwt.ca	
International Energy Counsel Attention: Howard R. Ward	Address: 2709 Canterville Drive S.W. Calgary, AB T2W 3X9 Email: hrward@shaw.ca	Len Kwasnicki, Bev Kwasnicki and OK Tire Store
MacDonald Hanley Attention: James Hanley	Address: 2050, 736 – 6 th Avenue S.W. Calgary, AB T2P 3T7 Facsimile: 403-233-2033 Email: jhanley@macdonaldhanley.com	Harry Chupik and Sarah Lindquist

MAR 02 2013

JUDICIAL CLERK

COURT FILE NO. 1201-15430

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFFS STANLEY EISENBERG, BRENDA EISENBERG,
JACK EISENBERG, LYNN EISENBERG and
EISENBERG'S PROPERTIES LTD.

DEFENDANTS 910234 ALBERTA LTD., RANDY CALMUSKY, THERESA
CALMUSKY, KYLE CALMUSKY, CALE HUMENIUK,
JORDAN RINTOUL and RYAN CALMUSKY

DOCUMENT NOTICE OF WITHDRAWAL OF LAWYER OF RECORD

ADDRESS FOR SERVICE	DE WAAL LAW	Attention:	Rinus de Waal
AND CONTACT	Barristers	Direct:	(403) 266-0013
INFORMATION OF	1010, 505 - 3 rd Street S.W.	Facsimile:	(403) 266-2632
PARTY FILING THIS	Calgary, Alberta T2P 3E6	E-mail:	rdewaal@dewaallaw.com
DOCUMENT			

Counsel for THERESA CALMUSKY, Defendant, withdraws as lawyer of record for that party.

The last known address for the Defendant is as follows:

110 Hawk's Landing Drive, Priddis, AB T0L 1W0.

Legal counsel for the Defendant, Theresa Calmusk.

DE WAAL LAW

Per: 
Rinus de Waal

WARNING

This withdrawal of lawyer of record takes effect 10 days after the affidavit of service of this document on every party is filed. After that date, no delivery of a pleading or other document relating to the action is effective service on the former lawyer of record or at any address for service previously provided by the former lawyer of record.



400 - 444 7 AVE SW
Calgary AB T2P 0X8
fieldlaw.com

CALGARY / EDMONTON / YELLOWKNIFE

Douglas Nishimura
Partner
T 403-260-8548
F 403-264-7084
dnishimura@fieldlaw.com
Assistant: Elvina Hussein
T 403-232-1797
ehussein@fieldlaw.com
Our File: 56679-3

April 16, 2018

VIA COURIER

Theresa Calmusky
110 Hawk's Landing Drive
Priddis, AB T0L 1W0

Re: Stanley Eisenberg, et al v. 910234 Alberta Ltd. et al
Court of Queen's Bench Action No.: 1201 15430

As you are aware, we act for Grant Thornton Limited, the Receiver/Manager of 910234 Alberta Ltd. (the "Receiver"). We understand that Mr. de Waal has withdrawn as lawyer of record in connection with this matter.

We refer to a Settlement Agreement dated August 17, 2015 between our client and yourself, (the "Settlement Agreement") and the Mortgage against the property at 110 Hawks Landing Drive in Priddis, Alberta (the "Property") held by the Receiver in conjunction therewith. Our client notes that there has not been any apparent progress in selling the Property.

Accordingly, we request the following information be provided on or before Friday, April 20, 2018:

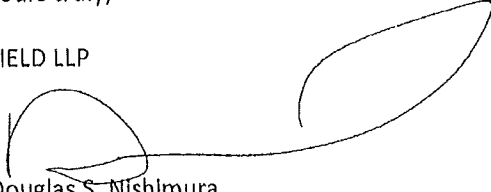
1. A copy of the current listing for the Property;
2. The identity the contact information for the current realtor and written confirmation that the said realtor is at liberty to disclose information about the Property, the listing and any offers to the Receiver;
3. Copies of all offers received for the Property; and
4. Confirmation of the amount owing and that no further advances have been made with respect to the first mortgage on the Property and that no further encumbrances have been registered against the Property.



Falling receipt of the foregoing, we shall seek remedies from the Court on an Immediate basis.

Yours truly,

FIELD LLP



Douglas S. Nishimura

DSN/eh

Elvina Hussein

From: Theresa Calmusky <tcalmusky@hotmail.com>
Sent: April-20-18 3:47 PM
To: Douglas Nishimura
Subject: Your Letter Dated April 16, 2018

Follow Up Flag: 10378561

Late yesterday I was able to obtain your letter dated April 16, 2018. and upon review wish to advise:

- Confirmation that the property is listed for sale with a realtor which you had approved, as required by the Settlement Agreement;
- As previously indicated, I do not consent to the disclosure of information or communication by the realtor, directly with the Receiver or his counsel;
- Confirmation that no further advances have been made with respect to the first mortgage and that there are no encumbrances ranking higher than the collateral mortgage of the Receiver; and
- I believe that I have complied with all of my obligations under the Settlement Agreement. Should you have any basis to say otherwise, please let me know.

Elvina Hussein

From: Theresa Calmusky <tcalmusky@hotmail.com>
Sent: August-15-18 3:20 PM
To: Douglas Nishimura
Subject: Calmusky - 110 Hawk's Landing Dr.

Mr. Nishimura,

I have been contacted by a house appraiser by the name of Ken Noble. (PH # 403-667-2537) who indicates that your law firm has requested an appraisal of the above mentioned property. Please advise why this is required.

Thank you.

Elvina Hussein

From: Theresa Calmusky <tcalmusky@hotmail.com>
Sent: August-24-18 11:46 AM
To: Trevor Batty
Cc: Douglas Nishimura; Elvina Hussein; 'Barker, Breanne'; 'Basi, Andrew'
Subject: Re: Calmusky - 110 Hawk's Landing Dr. (the "Property")

Mr. Batty,

I have now reviewed your email of August 20, 2018.

I believe that I have a right to my privacy and as the owner of the property your agent , Mr Noble, as been informed that he has no right to enter the property but is welcome to do whatever he needs to do from the street and via pictures of the property that are included on MLS . Additionally, given my travel schedule I require at least 72 hours to address such requests. The less than 24 hour notice that was extended to me is totally unrealistic and unreasonable.

I believe that you have infringed upon my privacy by having your agent, Mr. Noble, contact my realtor with a request for an appraisal for the purposes of foreclosure and question why the request was not made directly to me! Without merit you have portrayed me in an unflattering and embarrassing light. In all likelihood I would presume that the current realtor may not be too interested in renewing the current listing. This may result in delaying a sale of the house which is not in the best interests of any of the parties involved.

I had received a request by Mr. Nishimura on April 16 and responded on April 20 with honest answers to his questions based upon my knowledge of events. Mr. Nishimura's June 5 email and his out of office email of August 15 ended up in my junk email so I have just recently located and read Mr. Nishimura's email of June 5th. Corresponding via email has proven unreliable. As the original request of April 16 was delivered via courier I request going forward that all communication be sent via email and also courier to avoid any miscommunication and avoid any delay.

With respect to Mr. Nishimura's email of June 5, I have already co-operated as my response is no different than the contents of my response on April 20th. The answers to his questions are all contained in public documents, namely land titles registration and information contained on the MLS listing. The land titles document verifies that the amount registered on title for the first mortgage has not changed. Your accusation that I have not co-operated is baseless. I have a right to my privacy. Unless i have missed something, please direct me to the specific clause of the Settlement Agreement or the Mortgage that you rely upon when you say you are entitled to something.

Please confirm that you are agreeable to the requests that i have made.

From: Trevor Batty <TBatty@fieldlaw.com>
Sent: August 20, 2018 12:38 PM
To: 'tcalmusky@hotmail.com'
Cc: Douglas Nishimura; Elvina Hussein; 'Barker, Breanne'; 'Basi, Andrew'
Subject: FW: Calmusky - 110 Hawk's Landing Dr. (the "Property")

Ms. Calmusky,

Mr. Nishimura is currently away and I am handling this matter in his absence.

You have failed to respond to Mr. Nishimura's various requests for updates regarding the sale of the Property, it appears you are not making good faith efforts to sell the Property, and you are in therefore in breach of the settlement agreement between yourself and the receiver. As a result, the Receiver is preparing an application for an Order for Judicial Sale whereby the Court will take conduct of the sale of the Property. The Court will require an appraisal to set the sale price so the Receiver has retained Mr. Noble to perform one.

Mr. Noble will contact you to obtain access to the interior of the Property. It is in your best interest to allow access as it may result in a higher listing price. If you refuse to provide access to the interior we will proceed with an exterior appraisal only.

We will serve you with application materials in due course.



Trevor Batty | Lawyer
T 403-260-8537 | F 403-264-7084 | tbatty@fieldlaw.com
400 - 444 7 AVE SW, Calgary AB T2P 0X8

"Field Law" and the Field Law logo are registered trademarks of Field LLP. All rights reserved.

Begin forwarded message:

From: Theresa Calmusky <tcalmusky@hotmail.com>
Date: August 15, 2018 at 5:19:54 PM EDT
To: "dnishimura@fieldlaw.com" <dnishimura@fieldlaw.com>
Subject: Calmusky - 110 Hawk's Landing Dr.

Mr. Nishimura,

I have been contacted by a house appraiser by the name of Ken Noble. (PH # 403-667-2537) who indicates that your law firm has requested an appraisal of the above mentioned property. Please advise why this is required.

Thank you.