



COURT FILE NUMBER	1601-10510
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
APPLICANT	ROYAL BANK OF CANADA
RESPONDENT	MJ's WATER HAULING CO. LTD., 1825377 ALBERTA LTD., DARREN BISHOP, VANESSA BISHOP, 1521580 ALBERTA LTD.
DOCUMENT	<u>APPLICATION FOR ORDER DISCHARGING RECEIVER</u>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	G. Brian Davison/Karen Fellowes DLA Piper (Canada) LLP Barristers and Solicitors 1000, 250 - 2 Street SW Calgary, Alberta T2P 0C1 Phone: 403-698-8787 Fax: 403-296-4474 File No.: 048086-00025

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 Judge.

To do so, you must be in Court when the application is heard as shown below:

Date	October 2, 2018
Time	3:00 p.m.
Where	Calgary Courts Centre
Before Whom	The Honourable Justice Mcleod

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. Grant Thornton Limited. (the "**Receiver**"), in its capacity as receiver of the current and future assets, undertakings and properties, excluding certain equipment owned by Mercedes Benz Financial Services Canada (collectively, the "**Property**") of MJ's Water Hauling Co. Ltd and 1825377 Alberta Ltd. (collectively, the "**Debtors**") pursuant to the Order issued by the Honourable Justice J. Dario on August 10, 2016 (the "**Receivership Order**") applies for an order, substantially in the form attached as Schedule "A".
2. Declaring that service of this Application (the "**Application**") and the Fifth Report of the Receiver, dated September 24, 2018 (the "**Fifth Receiver's Report**") on the persons listed in Appendix "A" to the Application (the "**Service List**") is good and sufficient and that no persons other than those on the Service List are entitled to service of the Fifth Receiver's Report or the Application;
3. Approving the Receiver's actions to date and the Receiver's fees and disbursements and that of its counsel;
4. Approving a final distribution from the Receivership estates;
5. Discharging the Receiver as Receiver of the Debtors, subject to any incidental duties as may be required to complete the administration of the receivership estates;
6. Ordering and declaring that service of any orders arising from the Application by email, facsimile, registered mail, courier, regular mail, or personal delivery to the persons listed on the Service List shall constitute good and sufficient service of such orders and that no persons other than those on the Service List are entitled to be served with a copy of such orders.
7. Such further and other relief as counsel for the Receiver may advise.

I. Grounds for the Application:

8. The Receiver has conducted the administration of the receivership estates as more fully set out in the Receiver's Reports, including a sale of the Property, and an interim distribution to creditors as approved by this Court.
9. The Debtor MJ's Water Hauling Co. Ltd. has been assigned into bankruptcy, pursuant to an order of the Court authorizing and approving the Receiver to take such action.
10. The administration of the receivership estates is virtually complete, and the claims with respect to MJ's Water Hauling Co. Ltd. will be dealt with in the bankruptcy estate.
11. It is appropriate at this time that the Receiver's fees and disbursements and activities be approved and that the Receiver be discharged by way of Order of the Court.

12. Such further and other grounds as counsel for the Receiver may advise.

Material or Evidence to be relied On:

The Receiver will rely on the following material:

13. The pleadings and proceedings in the within Action;
14. The Fifth Receiver's Report;
15. Such further and other material as counsel for the Receiver may advise.

Applicable rules:

16. Rule 6.3(1) and 6.9(1) of Rules.
17. Such further and other rules as counsel for the Receiver may advise.

Applicable Acts and Regulations:

18. Section 243 of the BIA.
19. Such further and other acts and regulations as counsel for the Receiver may advise.

Any irregularity complained of or objection relied on:

20. There are no irregularities complained of or objections relied on.

How the application is proposed to be heard or considered:

21. The Receiver proposes that the Application be heard in person with one, some or all of the parties present.

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 rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

SCHEDULE "A"

COURT FILE NUMBER	1601-10510
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
APPLICANT	ROYAL BANK OF CANADA
RESPONDENT	MJ's WATER HAULING CO. LTD., 1825377 ALBERTA LTD., DARREN BISHOP, VANESSA BISHOP, 1521580 ALBERTA LTD.
DOCUMENT	<u>ORDER FOR FINAL DISTRIBUTION, APPROVAL OF RECEIVER'S FEES AND DISBURSEMENTS, APPROVAL OF RECEIVERS ACTIVITIES AND DISCHARGE OF RECEIVER</u>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	G. Brian Davison/Karen Fellowes DLA Piper (Canada) LLP Barristers and Solicitors 1000, 250 - 2 Street SW Calgary, Alberta T2P 0C1 Phone: 403-698-8787 Fax: 403-296-4474 File No.: 48086-25
DATE ON WHICH ORDER WAS PRONOUNCED:	October 2, 2018
NAME OF JUSTICE WHO MADE THIS ORDER:	The Honourable Justice K. McLeod
LOCATION OF HEARING:	Calgary, Alberta

UPON THE APPLICATION of GRANT THORNTON LTD., in its capacity as Court appointed receiver and manager ("**Receiver**") of the assets, properties and undertakings (the "**Property**") of MJ's WATER HAULING CO. LTD. and 1825377 Alberta Ltd. (the "**Debtors**") pursuant to an order issued in the within proceedings on AUGUST 10, 2016 (the "**Receivership Order**"); AND UPON having read the Application and the Fifth Report of the Receiver, dated September 24, 2018 the "**Receiver's Fifth Report**"; AND UPON having read the Affidavit of Service sworn _____, 2018 (the "**Service Affidavit**"); AND UPON hearing counsel for the Receiver and any other counsel present; AND UPON being satisfied that it is appropriate to do so,

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given;

2. The Receiver's accounts for fees and disbursements, as set out in the Receiver's Fifth Report are hereby approved without the necessity of a formal passing of its accounts.
3. The accounts of the Receiver's legal counsel DLA Piper Canada LLP for its fees and disbursements, as set out in the Receiver's Fifth Report are hereby approved without the necessity of a formal assessment of its accounts.
4. The Receiver's activities as set out in the Receiver's Fifth Report and in all of its other reports filed herein, and the Statement of Receipts and Disbursements as attached to the Receiver's Fifth Report, are hereby ratified and approved.
5. The Receiver is authorized and directed to make the MJ's Proposed Distribution and the 182 Proposed Distribution, as described and set out in the Receiver's Fifth Report.
6. On the evidence before the Court, the Receiver has satisfied its obligations under and pursuant to the terms of the Orders granted in the within proceedings up to and including the date hereof, and the Receiver shall not be liable for any act or omission on its part including, without limitation, any act or omission pertaining to the discharge of its duties in the within proceedings, save and except for any liability arising out of any in fraud, gross negligence or willful misconduct on the part of the Receiver, or with leave of the Court. Subject to the foregoing any claims against the Receiver in connection with the performance of its duties are hereby stayed, extinguished and forever barred.
7. No action or other proceedings shall be commenced against the Receiver in any way arising from or related to its capacity or conduct as Receiver, except with prior leave of this Court on Notice to the Receiver, and upon such terms as this Court may direct.
8. Upon the Receiver filing a Discharge Certificate with the Clerk of the Court confirming that:
 - (a) All matters set out in paragraph 5 of this Order have been completed; andthen the Receiver shall be discharged as Receiver of the Debtors, provided however, that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver.
9. This Order must be served only upon those interested parties attending or represented at the within application and service may be effected by Facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
10. Service of this Order on any party not attending this application is hereby dispensed with.

J.C.C.Q.B.A.