

COURT FILE NO. 2003 08874

COURT Court of Queen's Bench of Alberta

JUDICIAL CENTRE Edmonton

PLAINTIFF HELEN JEAN LUKAN

DEFENDANTS JACK LUKAN, 2218405 ALBERTA LTD., 2079260 ALBERTA LTD. and
1596330 ALBERTA LTD.

DOCUMENT **ORDER – COMPELLING MR. JACK LUKAN TO PROVIDE ACCESS TO
LANDS AND TO SURRENDER VARIOUS ASSETS TO THE RECEIVER**

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT

Russell A. Rimer
Barrister & Solicitor
Phone: 780.441.4348
Fax: 780.428.9683
Email: rrimer@dcllp.com
File # 132-208081

DUNCAN CRAIG LLP
LAWYERS MEDIATORS
2800 Scotia Place
10060 Jasper Avenue
Edmonton, Alberta Canada T5J 3V9

DATE ON WHICH ORDER WAS PRONOUNCED: October 26, 2021

LOCATION OF HEARING : Edmonton, Alberta via WebEx
Hearing in Virtual Courtroom 86

NAME OF JUSTICE WHO MADE THIS ORDER: Honourable Madam Justice D.L.
Shelley

UPON THE APPLICATION of Grant Thornton Limited (the "Receiver"), the Court-appointed Receiver of the current and future assets, undertakings and properties of every nature and kind whatsoever, and wherever situate, including all proceeds thereof (the "Property") of 2076260 Alberta Ltd. and 1596330 Alberta Ltd. (collectively the "Debtors"); AND UPON having heard read the Second Report of the Receiver, to be filed; AND UPON having heard read the Affidavit of Service of Karla Sookdeo, to be filed; AND UPON having heard representations of counsel acting for the Receiver; AND UPON having heard representations of counsel acting for Jack Lukan; AND UPON noting that counsel acting for Jean Lukan (Bishop & McKenzie LLP, Jim Gallivan (in person) and Dan Woo on behalf of the Receiver, also attended the Application but made no submissions;

Clerk's Stamp

IT IS HEREBY ORDERED THAT:

1. The time for service of notice of this Application and the Second Receiver's Report is hereby abridged, the Application is properly returnable today, service of the Application and the Second Receiver's Report on the Service List, in the manner described in the Service Affidavit, is good and sufficient, and no other persons, other than those listed on the Service List attached as Exhibit "A" to the Service Affidavit (the "Service List") are entitled to service of the Application or the Second Receiver's Report.

Access to Lands

2. Jack Lukan is hereby ordered and compelled to provide to the Receiver, or agents appointed by the Receiver, access to the Lands legally described as:

THE SOUTH WEST QUARTER OF SECTION TWENTY ONE (21)
TOWNSHIP SEVENTY (70)
RANGE TWENTY TWO (22)
WEST OF THE FIFTH MERIDIAN
CONTAINING 34.3 HECTARES (159 ACRES) MORE OR LESS
EXCEPTING THEREOUT: HECTARES (ACRES) MORE OR LESS

A) PLAN 2044 JY – ROAD	1.86	4.59	FOR ROAD
	0.344	0.85	FOR CUT OFF
B) PLAN 1983 KS – SUBDIVISION	1.53	3.45	
C) PLAN 2755 KS – SUBDIVISION	0.729	1.80	
D) PLAN 2418 KS – RIGHT OF WAY	0.138	0.34	SUBSTATION SITE
E) PLAN 5480 NY – RIGHT OF WAY	5.26	13.00	LAGOON SITE
F) PLAN 0024579 – ROAD	0.364	0.90	
G) PLAN 0421749 – ROAD	0.664	1.64	

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

(the "Lands")

3. Upon accessing the Lands, the Receiver, or agents appointed by the Receiver, are at liberty to remove the following items:
 - (a) All items described in the "Marketing Package" and Addendum thereto which are located on the Lands and described at Exhibit "L" of the Receiver's Second Report;
 - (b) The 2006 John Deere 350D Excavator bearing serial number FF350DX805349.
4. For clarity, if any of the items referred to in paragraph 3 of this Order are not located on the Lands, then Mr. Jack Lukan is directed and compelled to immediately and forthwith deliver up possession of same to the Receiver, or to agents appointed by the Receiver.

Consequences of Mr. Jack Lukan Failing to provide access to Lands or Failing to deliver up items.

5. Should Jack William Lukan, also known as Jack Lukan, be in breach of any of the terms of this Order, any Peace Officer, Police Officer, or R.C.M.P. Officer is authorized to provide assistance to ensure that Jack William Lukan, also known as Jack Lukan complies with its terms. Before enforcing the terms of this Order, the Peace Officer, Police Officer or R.C.M.P. Officer must first ensure that Jack William Lukan, also known as Jack Lukan has been served with a copy of the Order, or if not served, Jack William Lukan, also known as Jack Lukan must be shown a copy of the Order by the Peace Officer, Police Officer or R.C.M.P. Officer and be given reasonable time to comply with its terms. If Jack William Lukan, also known as Jack Lukan does not then obey the terms of the Order, the Peace Officer, Police Officer or R.C.M.P. Officer shall do such lawful acts as may be necessary to give effect to its terms, including, if necessary, arrest, detain and bring Jack William Lukan, also known as Jack Lukan at the earliest possible time before a Justice of the Court of Queen's Bench of Alberta to show cause why she should not be held in civil contempt.
6. In making an arrest under this Order, a Peace Officer, Police Officer or R.C.M.P. Officer is authorized to do anything necessary to carry out the arrest, including the use of as much reasonable force as may be necessary to make the arrest and without warrant to enter any place where, on reasonable and probable grounds, the Peace Officer, Police Officer or R.C.M.P. Officer believes Jack William Lukan, also known as Jack Lukan may be found.
7. This Order is sufficient authority for the keeper of a correctional institution to hold Jack William Lukan, also known as Jack Lukan in custody pending appearance before a Justice of the Court of Queen's Bench of Alberta.

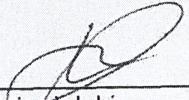
Costs

8. The Receiver is hereby granted costs of this Application against Mr. Jack Lukan in the sum of \$500.00 which is payable immediately, and the Applicant is granted leave to reapply to the Honourable Madam Justice D.L. Shelley in the future seeking enhanced costs and/or a penalty to be assessed against Mr. Jack Lukan should he not comply with the terms of this Order.


Justice of the Court of Queen's Bench of Alberta

Approved as to the Order being granted by:

Stringam LLP
Per:



Luke Smiegielski
Counsel for Jack Lukan