

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

ROYAL BANK OF CANADA

Petitioner

AND:

2073944 ALBERTA LTD.

Respondent

APPLICATION RESPONSE

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

Application Response of: The Respondent, 2073944 Alberta Ltd. (the “**Application Respondent**”)

THIS IS A RESPONSE TO the Notice of Application of Grant Thornton Limited, Court Appointed Receiver herein, dated April 9, 2020. This hearing has been scheduled through Supreme Court Scheduling before Justice Fitzpatrick in the Victoria Registry on Thursday, April 16, 2020, at 11:00 a.m.

Part 1: ORDERS CONSENTED TO

The Application Respondent consents to the granting of the orders set out in the following paragraphs of Part 1 of the notice of application on the following terms: **N/A**

Part 2: ORDERS OPPOSED

The Application Respondent opposes the orders set out in Part 1 of the Notice of Application and seeks alternative relief as set forth in the Affidavit of Satinder Singh, filed.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The Application Respondent takes no position on the granting of the orders set out in the following paragraphs of Part 1 of the notice of application: **N/A**

Part 4: FACTUAL BASIS

1. The Application Respondent relies on the facts set out in the Affidavit of Satinder Pal Singh and the facts set out in the Receiver's First Report (though not the conclusions set out in the latter).

Part 5: LEGAL BASIS

1. The Application Respondent submits that the Orders sought by the Receiver are not in the best interest of all creditors and that the alternative relief set forth in the Affidavit of Satinder Pal Singh provides a better outcome for all stakeholders.

Part 6: MATERIALS TO BE RELIED ON

1. The pleadings and materials filed herein.

The Application Respondent estimates that the application will take 1 hour.

The Application Respondent has filed in this proceeding a document that contains the Application Respondent's address for service, which is:

Field LLP
400, 444 – 7 Avenue S.W.
Calgary AB T2P 0X8
Lawyer: Douglas S. Nishimura
Phone Number: (403) 260-8548

Date: April 14, 2020



Signature of lawyer for the
Application Respondent

NO. SML-S-S-1956999
Smithers Registry

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File No. 68608-1