

COURT FILE NO. 2003 08874

COURT COURT OF KING'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 FOR APPROVAL OF RECEIVER'S ACTIVITIES, APPROVAL OF
ALLOCATION OF COSTS, APPROVAL OF RECEIVER'S FEES AND
DISBURSEMENTS, ORDER FOR FINAL DISTRIBUTION AND ORDER FOR
DISCHARGE OF RECEIVER**

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT

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File: 208081

DATE ORDER WAS PRONOUNCED:

August 27, 2024

LOCATION WHERE ORDER WAS PRONOUNCED:

Edmonton, Alberta

JUSTICE WHO PRONOUNCED ORDER:

Honourable K.G. Nielsen, ACJ

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. ("159") (collectively the "Debtors") for an Order for the final distribution of proceeds, approval of the Receiver's fees and disbursements, approval of the Receiver's activities and discharge of the Receiver; AND UPON having read the Third and Final Report of the Receiver dated August 15, 2024, filed; AND UPON hearing read the Affidavit of Service of Melissa Janes, filed; AND UPON hearing counsel for the Receiver; AND UPON NO other party appearing at the Application; AND UPON being satisfied that it is appropriate to do so, IT IS HEREBY ORDERED 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.

Approval of Accounts and Receiver's Actions

2. The Receiver's accounts for fees and disbursements, as set out in the Receiver's Third Report, are hereby approved without the necessity of a formal passing of its accounts.
3. The accounts of the Receiver's counsel, Duncan Craig LLP, for its fees and disbursements, as set out in the Receiver's Third Report are hereby approved and passed without the necessity of a formal assessment of its accounts.
4. The Receiver's activities as set out in the Receiver's Third Report and in all of its other Reports filed herein, and the Statement of Receipts and Disbursements as attached to the Third Report of the Receiver, are hereby ratified and approved.

Approval of Sales and Vesting of Assets

5. The sale of assets belonging to 159 to Henry Teerink as described within paragraphs 13-18 of the Receiver's Third Report is hereby approved, and all assets vest with said purchaser, free and clear of the claims of all others.
6. The sale of assets belonging to 159 to Century Services Corp. as described within paragraphs 13-18 of the Receiver's Third Report is hereby approved, and all assets vest with said purchaser, free and clear of the claims of all others.
7. The sale of the 2016 Ford F550 (VIN: 1FDU5HY2GFA34649) belonging to 159 to Jack Lukan as described within paragraphs 20-23 of the Receiver's Third Report is hereby approved, and all assets vest with said purchaser, free and clear of the claims of all others.

Final Distribution and Discharge

8. The Receiver is authorized and directed to make the following distributions from the funds held by the Receiver on behalf of the receivership estate:
 - a) After the Receiver advances the sum of \$3,638.85 to the receivership estate, such additional amounts necessary to pay Duncan Craig LLP for its fees, disbursements and GST that remain currently unpaid or are recorded and incurred from and October 29, 2021 (to the maximum of \$5,000 plus GST) in assisting the Receiver in completing the steps required to finalize and complete the Receiver's administration of the receivership estate, including without limitation obtaining this Order, and such fees and disbursements are hereby approved without the necessity of a formal passing of its accounts.
9. 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 fraud, gross negligence or wilful 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.

10. No action or other proceeding 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.
11. Upon the Receiver filing with the Clerk of the Court a sworn Affidavit of a licensed Trustee employed by the Receiver confirming that:
 - a) All matters set out in paragraph 8 of this Order have been completed, and
 - b) In the opinion of the Receiver, the administration of the Receivership has been completed,

then the Receiver shall be discharged as Receiver of the Debtor without further Order, 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.

Service of this Order

12. This Order must be served only upon those interested parties served with notice of this application and service may be effected by facsimile, electronic mail, personal delivery, recorded mail or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
13. Service of this Order on any party not attending this application is hereby dispensed with.



Justice of the Court of King's Bench of Alberta

September 6, 2024