

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 – APPROVAL OF RECEIVER'S ACTIONS

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT

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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.

Approval of Receiver's Actions

2. The actions and conduct of the Receiver, as reported in the Second Receiver's Report, are hereby approved and ratified.

Approval of Sales and Vesting of Assets

3. The sale of assets belonging to 1596330 Alberta Ltd. to Mr. Jim and Mrs. Sharon Potter as described in paragraph 18 of the Receiver's Second Report is hereby approved, and the assets vest with Mr. Jim and Mrs. Sharon Potter, free and clear of the claims of all others.
4. The sale of the 2006 John Deere 350D Excavator bearing serial number FF350DX805349 (the "Excavator") by the Receiver to Gallivan Construction Ltd. as described in paragraphs 19 to 38 of the Receiver's Second Report is hereby approved, and it is further ordered that Gallivan Construction Ltd. is now the owner of the Excavator free and clear of the claims of all others.
5. Prior to the end of November 15, 2021, Jack Lukan, or legal counsel acting on his behalf, is to provide an explanation to the Receiver by way of e-mail at dan.woo@ca.gt.com (with a copy to Receiver's counsel at rimer@dcilp.com), a written explanation, complete with backup documentation, explaining why Jack Lukan claims to be entitled to ownership and possession of the 2016 F550 Crew Cab Truck bearing serial number 1FDU5HY2GFA34649 (the "2016 Truck").
6. Prior to the end of November 15, 2021, Jean Lukan, or legal counsel acting on her behalf, is to provide an explanation to the Receiver by way of e-mail at dan.woo@ca.gt.com (with a copy to Receiver's counsel at rimer@dcilp.com), a written explanation, complete with backup documentation, explaining why 1596330 Alberta Ltd. is entitled to ownership of the 2016 Truck.

Service

7. Service of this Order shall be deemed good and sufficient by:
 - (a) Serving same on:
 - (i) The persons listed on the Service List created in these proceedings;
 - (ii) Any other persons served with notice of the Application for this Order;

(iii) Any other parties attending or represented at the Application for this Order;
and

(b) Posting a copy of this Order on the Receiver's website at
<https://www.grantthornton.ca/service/advisory/creditor-updates>;

(c) Service on any other person is hereby dispensed with.

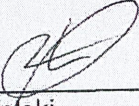
8. Service of this Order may be effected by facsimile, electronic mail, personal delivery, or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.


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