

DUPLICATE ORIGINAL

COURT FILE NUMBER **QB No 984 of 2014**
COURT OF QUEEN'S BENCH FOR SASKATCHEWAN
JUDICIAL CENTRE OF **SASKATOON**
APPLICANT **BUSINESS DEVELOPMENT BANK OF CANADA**
RESPONDENTS **ASSINIBOIA RUBBER RECYCLING INC.**

AMENDED ORDER
(Adjournment, Cost Allocation and Distribution)

Before the Honourable Madam Justice A.R. Rothery in Chambers on the 9th of June, 2016.

Upon application by M. Kim Anderson, Q.C., counsel for Ernst & Young Inc. in its capacity as the Court appointed receiver (the "Receiver") of the undertaking, property and assets of Assiniboia Rubber Recycling Inc. (the "Debtor") 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 hearing read the Receiver's Report dated June 6, 2016, (the "Receiver's Report"), and upon hearing counsel for the Receiver, counsel for the Town of Assiniboia, counsel for the Business Development Bank of Canada ("BDC") and counsel for the Toronto-Dominion Bank ("TD Bank");

The Court orders:

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 is authorized and directed as follows:
 - (a) The Receiver being in possession of an account receivable from Grasswood Auction in the amount of \$66,150.00 (the "Receivable"):
 - (i) The Receiver shall allocate the costs of the Receivership to TD Bank in accordance with paragraph 22A of the Order of the Honourable Madam A.R. Rothery dated July 11, 2014 appointing the Receiver (the "Receivership Order"), such allocation now standing at the previously determined maximum of \$10,000.00; and
 - (ii) Subsequent to the allocation of costs of the Receivership against TD Bank in the amount of \$10,000 described in paragraph 2(a)(i) hereof, the Receiver shall thereafter pay over the net remaining amount of the Receivable (i.e. - \$56,150.00) to the order of TD Bank.
3. The application for discharge made by the Receiver shall be further adjourned until Wednesday, the 20th day of July, at 2:00 PM.
4. Service of this Order on any party not attending this application is hereby dispensed with.

ISSUED at Saskatoon, Saskatchewan this 9th day of June, 2016.



(Deputy) Local Registrar

CONTACT INFORMATION AND ADDRESS FOR SERVICE

Name of firm:	ROBERTSON STROMBERG LLP
Name of lawyer in charge of file:	M. Kim Anderson, Q.C.
Address of legal firm:	600-105 21 st St. East, Saskatoon, SK S7K 0B3
Telephone number:	306-933-1344
Fax number (<i>if any</i>):	306-652-2445
E-mail address (if any):	<u>mk.anderson@rslaw.com</u>