

THE QUEEN'S BENCH

WINNIPEG CENTRE

IN THE MATTER OF: The Appointment of a Receiver pursuant to Section
243 of the *Bankruptcy and Insolvency Act*, R.S.C.
1985, c. B-3, as amended, and Section 55 of *The Court*
of Queen's Bench Act, C.C.S.M. c. C280

BETWEEN:

ROYAL BANK OF CANADA,

plaintiff,

- and -

KELLER & SONS FARMING LTD. and KELLER
HOLDINGS LTD.,

defendants.

ORDER

Thompson Dorfman Sweatman LLP
Barristers and Solicitors
201 Portage Avenue, Suite 2200
Winnipeg MB R3B 3L3

(Matter No. 0138084 RAM)
(Ross A. McFadyen 204-934-2378)
(Facsimile 204-934-0538)
(Toll Free: 1-855-483-7529)
(Email: ram@tdslaw.com)

THE QUEEN'S BENCH

WINNIPEG CENTRE

THE HONOURABLE) Thursday, the 14th day of
MR. JUSTICE CHARTIER) December, 2017
)

IN THE MATTER OF: The Appointment of a Receiver pursuant to Section
243 of the *Bankruptcy and Insolvency Act*, R.S.C.
1985, c. B-3, as amended, and Section 55 of *The Court
of Queen's Bench Act*, C.C.S.M. c. C280

BETWEEN:

ROYAL BANK OF CANADA,

plaintiff,

- and -

KELLER & SONS FARMING LTD. and KELLER
HOLDINGS LTD.,

defendants.

ORDER

THIS MOTION, made by SHILO FARMS LTD. for an Order granting
leave to file a Third Party Claim as against the Receiver Ernst & Young Inc. in
Court of Queen's Bench File No. CI 16-01-02918, was heard on October 11, 2017
at the Law Courts Building, 408 York Avenue, Winnipeg, Manitoba.

ON READING the Reports of the Receiver, the Motions Briefs of the parties, and on hearing the submissions of counsel for Shilo Farms Ltd., the Receiver, and Custom Truck Sales Inc. appearing on a watching brief,

1. **THIS COURT ORDERS** that the motion be and is hereby dismissed.
2. **THIS COURT FURTHER ORDERS** that costs may be spoken to.

January 19, 2018
December __, 2017

G.L. CHARTIER

CHARTIER J.

CONSENTED TO AS TO FORM:

THOMPSON DOREMAN SWEATMAN LLP

Per: _____

Andrew D.F. Sain
Counsel for the Receiver

CONSENTED TO AS TO FORM:

TAPPER CUDDY LLP

Per: _____

Richard W. Schwartz
Counsel for Shilo Farms Ltd.