

COURT FILE NUMBER	Q.B. 727 / 2015	Clerk's Stamp DUPLICATE ORIGINAL
COURT OF QUEEN'S BENCH FOR SASKATCHEWAN IN BANKRUPTCY AND INSOLVENCY		
JUDICIAL CENTRE	SASKATOON	
PLAINTIFF	ALIGNVEST PRIVATE DEBT LTD.	
DEFENDANTS	NABER SPECIALTY GRAINS LTD. AND MELFORT GRAIN TERMINAL LTD.	

IN THE MATTER OF THE RECEIVERSHIP OF NABER SPECIALTY GRAINS LTD. AND
MELFORT GRAIN TERMINAL LTD.

Before the Honourable Madam Justice A.R. Rothery in chambers the 26th day of April, 2016

ORDER

On the application of David Gerecke, lawyer on behalf of the applicant, Ernst & Young Inc. (the "Receiver"), in its capacity as Court-appointed Receiver of the Defendants, Naber Specialty Grains Ltd. and Melfort Grain Terminal Ltd.; and upon hearing Jeffrey Lee, Q.C. on behalf of the Plaintiff and Marlon Miller on behalf of the Canadian Grain Commission; and on reading:

- (a) Order of the Honourable Madam Justice Rothery dated April 21, 2016 abridging the time for service of application materials;
- (b) Notice of Application of the Receiver dated April 22, 2016;
- (c) Second Report of the Receiver dated April 22, 2016 (the "Second Report");
- (d) Supplement to the Second Report of the Receiver dated April 22, 2016;
- (e) Supplementary Affidavit of Sanjil Shah sworn on April 7, 2016;
- (f) Letter from Canadian Grain Commission dated April 22, 2016;
- (g) Letter from Marlon Miller dated April 26, 2016;
- (h) Brief of Law and Book of Authorities dated April 22, 2016, filed on behalf of the Receiver; and
- (i) Brief of Law dated April 25, 2016, filed on behalf of the Receiver;
- (j) Draft Order;
- (k) The pleadings previously filed and read;

all filed;

The Court orders:

Service Effected

1. The service of the Receiver's Notice of Application returnable April 26, 2016 and the materials served in support thereof (collectively, the "Application Materials") on the Respondents and the parties listed on the Service List dated April 20, 2015, whether on the parties themselves or on their solicitors set forth in the Service List, is deemed to constitute good, valid and timely service thereof in regard to the application scheduled for hearing on April 26, 2016 at 10:00 a.m in accordance with Order of the Honourable Madam Justice Rothery dated April 21, 2016.

Return of the Second Confidential Report

2. The sealed Second Confidential Report is returned to the Receiver, unopened, and shall not form part of this proceeding.

Approval of Actions of the Receiver

3. All activities, actions and proposed courses of action of the Receiver to date in relation to the discharge of its mandate as Receiver of the Property (as that term is defined in the Order of this Honourable Court dated June 18, 2015), as more particularly described in the Second Report, shall be and are hereby approved, ratified and confirmed as valid.

Issued at Saskatoon, Saskatchewan, this 28th day of April, 2016.

D/ V. Groll
Local Registrar (or as the case may be)

NOTICE

Take notice that, unless the order is consented to by the respondent or a person affected by the order or unless otherwise authorized by law, every order made without notice to the respondent or a person affected by the order may be set aside or varied on application to the Court. You should consult your lawyer as to your rights.

CONTACT INFORMATION AND ADDRESS FOR SERVICE

If prepared by a lawyer for the party:

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Name of lawyer in charge of file:	<u>David Gerecke</u>
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