

COURT FILE NUMBER 1703 20802

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

PLAINTIFF AGRICULTURE FINANCIAL SERVICES COPORATION

DEFENDANTS ALL 4 WATER CORP., FOUR WINDS HOTELS MANAGEMENT CORP., R. HOYDA MANAGEMENT CORP., RONALD ALEXANDER HOYDA and ROSEMARIE HOYDA

APPLICANT ERNST & YOUNG INC., in its capacity as Receiver of Four Winds Hotels Management Corp. and R. Hoyda Management Corp.

DOCUMENT **APPLICATION**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT Stephanie A. Wanke
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NOTICE TO RESPONDENTS / SERVICE LIST

This application is made against you. You are a respondent. You have the right to state your side of this matter before the judge.

To do so, you must be in Court when the application is heard as shown below:

Date: Tuesday, February 27, 2018
Time: 10:00 a.m.
Where: Edmonton Law Courts
1A Sir Winston Churchill Square
Edmonton, AB T5J 0R2
Before Whom: The Honourable Justice S.D. Hillier

Go to the end of this document to see what else you can do and when you must do it.

Remedy claimed or sought:

1. An Order:
 - (a) approving the activities to date of Ernst & Young Inc., in its capacity as Receiver (the "**Receiver**") of Four Winds Hotels Management Corp. ("**FWHMC**") and R. Hoyda Management Corp. ("**RHMC**"); and
 - (b) authorizing the Receiver to conduct the Request For Proposal ("**RFP**") process for the assets of FWHMC and RHMC as set out in the Receiver's First Report.

Grounds for making this application:

2. The RFP process is a prudent, commercially reasonable approach to realizing on the identified assets.
3. Several parties have expressed an interest in some or all of these assets. An RFP process is recommended by the Receiver as:
 - (a) it appears there is a limited market for the assets;
 - (b) several parties have approached the Receiver to express an interest in purchasing some or all of the assets;
 - (c) it avoids real estate commissions; and,
 - (d) the Receiver, who is in possession of these assets, is able to deal directly with potential purchasers.

Material or evidence to be relied on:

4. First Report of the Receiver, dated February 21, 2018 and filed February 22, 2018

Applicable rules:

5. *Alberta Rules of Court*, AR 124/2010, including 1.2, 1.4, 6.1, 6.2 and 11.27

Applicable Acts and regulations:

6. *Judicature Act*, RSA 2000 c J-2, as amended, including s. 13 thereof.
7. *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, including Part IX thereof.

Any irregularity complained of or objection relied on:

8. Abridgement of time for service, as required.

How the application is proposed to be heard or considered:

9. Before a Justice on the Commercial List.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.