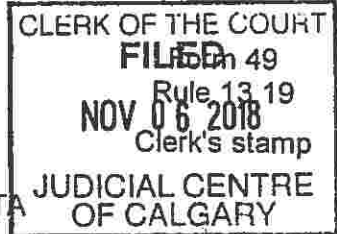


Court File Number 1801-09188

Court COURT OF QUEEN'S BENCH OF ALBERTA

Judicial Centre CALGARY



IN THE MATTER OF THE RECEIVERSHIP OF OPSMOBIL INC.,
RANCH ENERGY CORPORATION, 1734163 ALBERTA INC.,
1859821 ALBERTA INC., AIR DALLAIRE LTD., OPSMOBIL GROUP
INC., OPSMOBIL CONSTRUCTION INC., OPSMOBIL ENERGY
SERVICES INC. and K.L. CAPITAL CORP.

IN THE MATTER OF SECTION 243 OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, RSC 1985, c B-3, as amended

Applicant THIRD EYE CAPITAL CORPORATION

Respondents RANCH ENERGY CORPORATION, OPSMOBIL INC., 1734163
ALBERTA INC., 1859821 ALBERTA INC., AIR DALLAIRE LTD.,
OPSMOBIL GROUP INC., OPSMOBIL CONSTRUCTION INC.,
OPSMOBIL ENERGY SERVICES INC. and K.L. CAPITAL CORP.

Document **AFFIDAVIT**

Address for Service and
Contact Information of
Party Filing this
Document **STIKEMAN ELLIOTT LLP**
Barristers & Solicitors
4300 Bankers Hall West,
888-3rd Street S.W.,
Calgary, Canada T2P 5C5

Attention: Joseph Reynaud / David M. Price
jreynaud@stikeman.com / dprice@stikeman.com
Tel: (514) 397-3019/ (403) 266-9093
Fax: (403) 266-9034

Lawyers for the Applicant, Third Eye Capital Corporation
File No.: 120536-1037

AFFIDAVIT OF Lorrelei Breton

Sworn on November 6, 2018.

I, Lorrelei Breton, of the City of CALGARY, in the Province of ALBERTA, SWEAR AND SAY
THAT:

1. I am employed by the law firm of Stikeman Elliott LLP ("Stikeman"), and as such
have personal knowledge of the matters deposed to in this Affidavit, except when

stated to be based upon information and belief, in which case I believe the same to be true.

2. Attached hereto and marked as **Exhibits "A", "B" and "C"** are email chains dated October 18, 2018 and October 19, 2018 between Maria Mancina, Justice K.M. Horner's assistant, and counsel to the parties that made submissions on October 18, 2018 before Justice K.M. Horner (the "**October Hearing**") in respect of Predator Oil BC Ltd.'s application which was adjourned to November 7, 2018.
3. Attached hereto and marked as **Exhibit "D"** is a letter dated November 2, 2018, which was sent by Christa Nicholson of Jensen Shawa Solomon Duguid Hawkes LLP, counsel to the British Columbia Oil and Gas Commission, to Justice K.M. Horner.
4. Attached hereto and marked as **Exhibit "E"** is a letter dated November 2, 2018, which was sent by Joseph Reynaud of Stikeman, counsel to Third Eye Capital Corporation, to Justice K.M. Horner.
5. I am an adult person and not a party to the within action.

SWORN (OR AFFIRMED) BEFORE
ME at Calgary, this 6th
day of November, 2018.



A Commissioner for Oaths in and for
Alberta

SUNSHINE C. TAYLOR
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires September 6, 2019



Lorrelei Breton

Exhibit "A"

David Price

From: Maria Mancia <Maria.Mancia@albertacourts.ca>
Sent: Thursday, October 18, 2018 4:31 PM
To: ryan.zahara@blakes.com; jkruger@blg.com; rgurofsky@blg.com; Christa Nicholson;
David Price; Joseph Reynaud
Cc: CommercialCoordinator QBCalgary
Subject: ITMO the Receivership of Ranch Energy Corporation, et al 1801 09188

Follow Up Flag: Flag for follow up
Flag Status: Completed

Dear Counsel,

Further to this afternoon's application, which was adjourned sine die by Justice Horner, she is able to offer the following schedule in order for the Application of Predator Oil BC Ltd to be expedited and heard before November 15, 2018:

The application will be heard by her on **Wednesday Nov 7, 2018 at 2:00 pm;**

- The Receiver and /or Third Eye Capital will file and serve any further report or affidavit by Oct 23, 2018 at 4:00 pm;
- Cross-examinations, if any, will be conducted on any affiant on or before Oct 26, 2018 with the applicant's officer required to submit to examination first in time;
- Receiver will file and serve its brief on or before Oct 31, 2018;
- Any reply brief will be filed and served by Predator on or before Nov 2, 2018;
- The BC Oil and Gas Commission will file and serve its brief on or before Nov 2, 2018.

The parties are free to vary these deadlines as they may agree except that all material is to be filed and served no later than Nov 2, 2018.

Please advise our office as soon as possible whether this schedule is acceptable.

Yours very truly,

Maria Mancia
Judicial Assistant, Court of Queen's Bench
2401 N 601 - 5th St. SW Calgary, AB T2P 5P7
Phone (403) 297 2253 Fax (403) 297 7536

THIS IS EXHIBIT "A"
referred to in the Affidavit of
Lorretei Breton
Sworn before me this 6th
day of November, 2018
Sunshine Taylor
A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA

SUNSHINE C. TAYLOR
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires September 6, 2019

Exhibit "B"

David Price

From: Maria Mancía <Maria.Mancia@albertacourts.ca>
Sent: Friday, October 19, 2018 8:59 AM
To: jkruger@blg.com; Joseph Reynaud
Cc: CommercialCoordinator QBCalgary; ryan.zahara@blakes.com; rgurofsky@blg.com; Christa Nicholson; David Price
Subject: Re: ITMO the Receivership of Ranch Energy Corporation, et al 1801 09188

Good morning.

Madam Justice Horner advises that the Receiver and Third Eye's request to file on Oct 24, 2018 at 4:00 pm is approved.

Yours truly,

Maria

>>> "Kruger, Josef G. A." <JKruger@blg.com> 19/10/18 08:29 AM >>>

Dear Ms. Mancía and Counsel,

The schedule below is suitable to the Receiver and we have no objections to Mr. Reynaud's request. Like Mr. Reynaud we also request an additional 24 hours for the filing of the Receiver's report due to existing obligations.

Sincerely

Josef G.A. Kruger, Q.C.

On Oct 19, 2018, at 8:03 AM, Joseph Reynaud <JReynaud@stikeman.com> wrote:

Mrs. Mancía,
Dear Colleagues,

The schedule below is acceptable to Third Eye Capital subject to the following modifications:

- ? Third Eye Capital asks for an additional 24 hours, i.e. until October 24th at 4 pm, to file its rebuttal affidavit. The undersigned will be attending a trial in another matter on October 23rd and we believe this request is reasonable in light of the volume of the evidence recently produced by Predator BC.
- ? Third Eye Capital asks to be authorized to file a Brief on October 31, 2018 (the same date as the Receiver).

We were not able to discuss this with counsel beforehand and ask that any counsel who objects make it known.

Best regards.

Joseph Reynaud

Direct : +1 514 397 3019
Mobile : +1 514 261 4605
Email : jreynaud@stikeman.com

THIS IS EXHIBIT "D" referred to in the Affidavit of
Lorelei Berton
Sworn before me this 6th
day of November, 2018
Sunshine Taylor
A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA

<stikemanelliott logo rgb 120px.png>

Suivez-nous / Follow us
[LinkedIn](#) / [Twitter](#) / stikeman.com

SUNSHINE C. TAYLOR
A Commissioner for Oaths
in and for the Province of Alberta
My Commission Expires September 6, 2019

Stikeman Elliott S.E.N.C.R.L., s.r.l. Avocats
Stikeman Elliott LLP Barristers & Solicitors

1155 boul. René-Lévesque Ouest, 41e étage, Montréal, QC H3B 3V2 Canada

Ce message est confidentiel et peut contenir de l'information visée par le secret professionnel. Si vous n'en êtes pas le destinataire, veuillez supprimer ce message et nous avertir immédiatement. Toute utilisation ou communication non autorisée est interdite. / *This email is confidential and may contain privileged information. If you are not an intended recipient, please delete this email and notify us immediately. Any unauthorized use or disclosure is prohibited.*

De : Christa Nicholson [<mailto:nicholsonc@jssbarristers.ca>]

Envoyé : Friday, October 19, 2018 9:52 AM

À : Zahara, Ryan

Cc : Maria Mancia; jkruger@blg.com; rgurofsky@blg.com; David Price; Joseph Reynaud;
CommercialCoordinator QBCalgary

Objet : Re: ITMO the Receivership of Ranch Energy Corporation, et al 1801 09188

Dear Ms. Mancia,

This is to advise that Madam Justice Horner's schedule below is acceptable to the British Columbia Oil and Gas Commission. Thank you.

Regards,

Christa

On Oct 19, 2018, at 7:30 AM, Zahara, Ryan <ryan.zahara@blakes.com> wrote:

Ms. Mancia,

The schedule outlined below is acceptable to Predator.

Best regards,

Ryan Zahara
Partner
Blake, Cassels & Graydon LLP
3500, 855 Second Street SW
Calgary, AB T2P 4J8
Tel: 403.260.9628
Mobile: 403.473.0700
Fax: 403.260.9700
E-mail: ryan.zahara@blakes.com

This e-mail communication is confidential and legally privileged. If you are not the intended recipient, please notify me at the telephone number shown above or by return e-mail and delete this communication and any copy immediately. Thank you.

<image2cbf58.GIF>

Blake, Cassels & Graydon LLP
855 - 2nd Street S.W., Suite 3500, Calgary AB T2P 4J8
Tel: 403-260-9600 Fax: 403-260-9700
blakes.com | [Twitter](#) | [Unsubscribe](#)

Blake, Cassels & Graydon LLP | Barristers & Solicitors | Patent & Trade-mark Agents
This email communication is CONFIDENTIAL AND LEGALLY PRIVILEGED. If you are not the intended recipient, please notify me at the telephone number shown above or by return email and delete this communication and any copy immediately. Thank you.

L'information paraissant dans ce message électronique est CONFIDENTIELLE. Si ce message vous est parvenu par erreur, veuillez immédiatement m'en aviser par téléphone ou par courriel et en détruire toute copie. Merci.

Christa Nicholson
Partner
Direct: 403 571 1053
Bio: [Christa Nicholson](#)

Jensen Shawa Solomon Duguid Hawkes LLP



T 403 571 1520 F 403 571 1528 800, 304 - 8 Avenue SW, Calgary, Alberta T2P 1C2 www.jssbarristers.ca

This email message is privileged, confidential and subject to copyright. Any unauthorized use or disclosure is prohibited. If you have received this email in error, please notify the sender immediately.

From: Maria Mancia [<mailto:Maria.Mancia@albertacourts.ca>]
Sent: Thursday, October 18, 2018 4:31 PM
To: Zahara, Ryan; jkruger@blg.com; rgurofsky@blg.com; Christa Nicholson; dprice@stikeman.com; JReynaud@stikeman.com
Cc: CommercialCoordinator QBCalgary
Subject: ITMO the Receivership of Ranch Energy Corporation, et al 1801 09188

Dear Counsel,

Further to this afternoon's application, which was adjourned sine die by Justice Horner, she is able to offer the following schedule in order for the Application of Predator Oil BC Ltd to be expedited and heard before November 15, 2018:

The application will be heard by her on **Wednesday Nov 7, 2018 at 2:00 pm;**

- ? The Receiver and /or Third Eye Capital will file and serve any further report or affidavit by Oct 23, 2018 at 4:00 pm;
- ? Cross-examinations, if any, will be conducted on any affiant on or before Oct 26, 2018 with the applicant's officer required to submit to examination first in time;
- ? Receiver will file and serve its brief on or before Oct 31, 2018;
- ? Any reply brief will be filed and served by Predator on or before Nov 2, 2018;
- ? The BC Oil and Gas Commission will file and serve its brief on or before Nov 2, 2018.

The parties are free to vary these deadlines as they may agree except that all material is to be filed and served no later than Nov 2, 2018.

Please advise our office as soon as possible whether this schedule is acceptable.

Yours very truly,

Maria Mancía

*Judicial Assistant, Court of Queen's Bench
2401 N 601 - 5th St. SW Calgary, AB T2P 5P7
Phone (403) 297 2253 Fax (403) 297 7536*

<stikemanelliott_logo_rgb_120px.png>

Exhibit “C”

David Price

From: Maria Mancia <Maria.Mancia@albertacourts.ca>
Sent: Friday, October 19, 2018 9:58 AM
To: jkruger@blg.com
Cc: CommercialCoordinator QBCalgary; ryan.zahara@blakes.com; rgurofsky@blg.com; Christa Nicholson; David Price; Joseph Reynaud
Subject: Re: ITMO the Receivership of Ranch Energy Corporation, et al 1801 09188

Hello yes, we did reply to this - both the Receiver and TEC's request to file on Oct 24 at 4 pm is approved by Justice Horner.

Maria

>>> "Kruger, Josef G. A." <JKruger@blg.com> 19/10/18 09:53 AM >>>

Dear Ms. Mancia, can you also advise whether Justice Hirner is amenable to allow the Receiver to file its report on Oct 24 at 4 pm?

Thank you

Josef G.A. Kruger, Q.C.

On Oct 19, 2018, at 9:42 AM, Maria Mancia <Maria.Mancia@albertacourts.ca> wrote:

Madam Justice Horner further advises that TEC is authorized to file a Brief on October 31, 2018 (same deadline as the Receiver). Apologies for missing this out.

Maria

>>> Joseph Reynaud <JReynaud@stikeman.com> 19/10/18 08:03 AM >>>

Mrs. Mancia,
Dear Colleagues,

The schedule below is acceptable to Third Eye Capital subject to the following modifications:

- ? Third Eye Capital asks for an additional 24 hours, i.e. until October 24th at 4 pm, to file its rebuttal affidavit. The undersigned will be attending a trial in another matter on October 23rd and we believe this request is reasonable in light of the volume of the evidence recently produced by Predator BC.
- ? Third Eye Capital asks to be authorized to file a Brief on October 31, 2018 (the same date as the Receiver).

We were not able to discuss this with counsel beforehand and ask that any counsel who objects make it known.

Best regards.

Joseph Reynaud

Direct : +1 514 397 3019
Mobile : +1 514 261 4605
Email : jreynaud@stikeman.com

THIS IS EXHIBIT "C"
referred to in the Affidavit of
Lorrelle Breton
Sworn before me this 6th
day of November, 2018
Sunshine Taylor
A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA

<IMAGE.xxx>

Suivez-nous / Follow us

SUNSHINE C. TAYLOR
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires September 6, 2019

Stikeman Elliott S.E.N.C.R.L., s.r.l. Avocats
Stikeman Elliott LLP Barristers & Solicitors

1155 boul. René-Lévesque Ouest, 41e étage, Montréal, QC H3B 3V2 Canada

Ce message est confidentiel et peut contenir de l'information visée par le secret professionnel. Si vous n'en êtes pas le destinataire, veuillez supprimer ce message et nous avertir immédiatement. Toute utilisation ou communication non autorisée est interdite. / *This email is confidential and may contain privileged information. If you are not an intended recipient, please delete this email and notify us immediately. Any unauthorized use or disclosure is prohibited.*

De : Christa Nicholson [<mailto:nicholsonc@jssbarristers.ca>]

Envoyé : Friday, October 19, 2018 9:52 AM

À : Zahara, Ryan

Cc : Maria Mancia; jkruger@blg.com; rgurofsky@blg.com; David Price; Joseph Reynaud; CommercialCoordinator QBCalgary

Objet : Re: ITMO the Receivership of Ranch Energy Corporation, et al 1801 09188

Dear Ms. Mancia,

This is to advise that Madam Justice Horner's schedule below is acceptable to the British Columbia Oil and Gas Commission. Thank you.

Regards,

Christa

On Oct 19, 2018, at 7:30 AM, Zahara, Ryan <ryan.zahara@blakes.com> wrote:

Ms. Mancia,

The schedule outlined below is acceptable to Predator.

Best regards,

Ryan Zahara
Partner
Blake, Cassels & Graydon LLP
3500, 855 Second Street SW
Calgary, AB T2P 4J8
Tel: 403.260.9628
Mobile: 403.473.0700
Fax: 403.260.9700
E-mail: ryan.zahara@blakes.com

This e-mail communication is confidential and legally privileged. If you are not the intended recipient, please notify me at the telephone number shown above or by return e-mail and delete this communication and any copy immediately. Thank you.

<image2cbf58.GIF>

Blake, Cassels & Graydon LLP
855 - 2nd Street S.W., Suite 3500, Calgary AB T2P 4J8
Tel: 403-260-9600 Fax: 403-260-9700
blakes.com | [Twitter](#) | [Unsubscribe](#)

Blake, Cassels & Graydon LLP | Barristers & Solicitors | Patent & Trade-mark Agents
This email communication is CONFIDENTIAL AND LEGALLY PRIVILEGED. If you are not the intended recipient, please notify me at the telephone number shown above or by return email and delete this communication and any copy immediately. Thank you.

L'information paraissant dans ce message électronique est CONFIDENTIELLE. Si ce message vous est parvenu par erreur, veuillez immédiatement m'en aviser par téléphone ou par courriel et en détruire toute copie. Merci.

Christa Nicholson
Partner
Direct: 403 571 1053
Bio: [Christa Nicholson](#)

Jensen Shawa Solomon Duguid Hawkes LLP



T 403 571 1520 F 403 571 1528 800, 304 - 8 Avenue SW, Calgary, Alberta T2P 1C2 www.jssbarristers.ca

This email message is privileged, confidential and subject to copyright. Any unauthorized use or disclosure is prohibited. If you have received this email in error, please notify the sender immediately.

From: Maria Mancia [<mailto:Maria.Mancia@albertacourts.ca>]
Sent: Thursday, October 18, 2018 4:31 PM
To: Zahara, Ryan; jkruger@blg.com; rgurofsky@blg.com; Christa Nicholson; dprice@stikeman.com; JReynaud@stikeman.com
Cc: CommercialCoordinator QBCalgary
Subject: ITMO the Receivership of Ranch Energy Corporation, et al 1801 09188

Dear Counsel,

Further to this afternoon's application, which was adjourned sine die by Justice Horner, she is able to offer the following schedule in order for the Application of Predator Oil BC Ltd to be expedited and heard before November 15, 2018:

The application will be heard by her on **Wednesday Nov 7, 2018 at 2:00 pm**;

- ? The Receiver and /or Third Eye Capital will file and serve any further report or affidavit by Oct 23, 2018 at 4:00 pm;
- ? Cross-examinations, if any, will be conducted on any affiant on or before Oct 26, 2018 with the applicant's officer required to submit to examination first in time;
- ? Receiver will file and serve its brief on or before Oct 31, 2018;
- ? Any reply brief will be filed and served by Predator on or before Nov 2, 2018;
- ? The BC Oil and Gas Commission will file and serve its brief on or before Nov 2, 2018.

The parties are free to vary these deadlines as they may agree except that all material is to be filed and served no later than Nov 2, 2018.

Please advise our office as soon as possible whether this schedule is acceptable.

Yours very truly,

Maria Mancía

*Judicial Assistant, Court of Queen's Bench
2401 N 601 - 5th St. SW Calgary, AB T2P 5P7
Phone (403) 297 2253 Fax (403) 297 7536*

Exhibit “D”

Direct Line: (403)571-1053
Email: nicholsonc@jssbarristers.ca
Assistant - Aiyssa Okabe (403)571-1516
File No: 13662.003

VIA EMAIL

c/o Maria Mancia
maria.mancia@albertacourts.ca

November 1, 2018

The Honourable Justice K.M. Horner
c/o Maria Mancia
Calgary Courts Centre
Suite 2401 N
601 – 5 Street SW
Calgary, AB T2P 5P 7

THIS IS EXHIBIT "D"
referred to in the Affidavit of
Lorraine Barton
Sworn before me this 6th
day of November, 2018
Sunshine Taylor
A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA
SUNSHINE C. TAYLOR
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires September 6, 2019

My Lady:

Re: In the Matter of the Receivership of Ranch Energy ("Ranch") et al.; Action No. 1801-09188

We represent the British Columbia Oil and Gas Commission ("BCOGC").

This letter is further to the email correspondence of your Judicial Assistant Maria Mancia of October 18, 2018, in which your Ladyship set out a schedule such that the recent Application of Predator Oil BC Ltd. could be expedited and heard before November 15, 2018. That schedule required that the BCOGC file and serve its Brief on or before November 2, 2018 which was agreeable to it when that was proposed.

The BCOGC is still in the process of conducting its internal review of the parties' operations. In that connection, on October 29, 2018, it requested documentary evidence of Ranch's authority to operate the Assets including from its receiver, Ernst & Young Inc. (the "Receiver"). The BCOGC received a response from the Receiver on October 30, 2018 as had been requested.

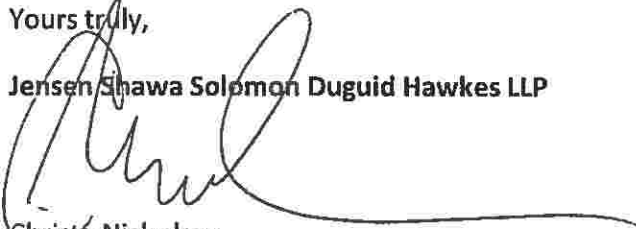
Further, the BCOGC was served with the Briefs of both the Receiver and of Third Eye Capital Corporation, the first secured creditor in this matter, on October 31, 2018 (yesterday), which raise issues which require further consideration by the BCOGC alongside the materials already filed by the other parties and the internal review of the BCOGC which is still in process. As a result, the BCOGC is likely to file evidence to respond to some of the issues raised by all parties and to potentially assist the Court.

In the circumstances, the BCOGC respectfully requests an extension of time within which to file its materials until the close of business on Monday, November 5, 2018.

We look forward to hearing back.

Yours truly,

Jensen Shawa Solomon Duguid Hawkes LLP



Christa Nicholson
Partner

CN:ao

c.c.: Client
Josef Kruger, Borden Ladner Gervais LLP – via email: JKruger@blg.com
Counsel for the Receiver

Ryan Zahara, Blake Cassels Graydon LLP – via email: ryan.zahara@blakes.com
Counsel for Predator Oil BC Ltd.

Tom Cumming, Gowling WLG (Canada) LLP – via email: tom.cumming@gowlingwlg.com
Counsel for Ranch Energy Corporation et al

Joseph Reynaud, Stikeman Elliot LLP – via email: JReynaud@stikeman.com
Counsel for Third Eye Capital Corporation

Exhibit “E”

Stikeman Elliott

Stikeman Elliott LLP
Barristers & Solicitors
1155 René-Lévesque Blvd. W.
41st Floor
Montréal, QC Canada H3B 3V2

Main: 514 397 3000
Fax: 514 397 3222
www.stikeman.com

Joseph Reynaud
Direct: 514 397 3019
Fax: 514 397 3616
E-mail: jreynaud@stikeman.com

November 5, 2018
File No.: 120536-1037

By E-mail:
maria.mancia@albertacourts.ca

The Honourable Justice K.M. Horner
c/o Maria Mancia
Calgary Courts Centre
Suite 2401 N
601 – 5 Street SW
Calgary, AB T2P 5P7

THIS IS EXHIBIT "E"
referred to in the Affidavit of
Loretta Breton
Sworn before me this 6th
day of November, 2018
Sunshine Taylor
A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA

Re: ITMO the Receivership of Ranch Energy Corporation, et al. 1801 09188

My Lady:

SUNSHINE C. TAYLOR
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires September 8, 2019

We are counsel to first secured lender, Third Eye Capital Corporation ("TEC"), in the captioned matter. This letter is further to the upcoming hearing on the Application filed by Predator Oil BC Ltd. ("Predator"), as amended on November 2, 2018 (the "Predator Application").

More particularly, we wish to address the service, by Tidewater Midstream and Infrastructure Ltd. ("Tidewater"), of an affidavit signed by Mr. Reed McDonnell (the "Reed Affidavit"), in which Tidewater ostensibly purports to "[...] provide this Honourable Court with a potential solution to the dispute between the Receiver, Predator BC and BCOGC which allows for the continued operation of the PNG Assets for the benefit of all stakeholders of Ranch" (para. 9). The Reed Affidavit was served on the Service List on Friday, November 2, 2018, at 6:17 pm.

On October 18, 2018, your Ladyship set the date of November 7, 2018 for a hearing on the Predator Application and issued the following schedule for the steps leading to this hearing:

1. The Receiver and /or Third Eye Capital will file and serve any further report or affidavit by October 23, 2018 at 4:00 pm;
2. Cross-examinations, if any, will be conducted on any affiant on or before October 26, 2018 with the applicant's officer required to submit to examination first in time;
3. Receiver will file and serve its brief on or before October 31, 2018;
4. Any reply brief will be filed and served by Predator on or before November 2, 2018;
5. The BC Oil and Gas Commission will file and serve its brief on or before November 2, 2018.

The above schedule was amended to allow the Receiver and TEC an extra twenty-four (24) hours to file their material and to allow the BC Oil and Gas Commission an extension until November 5, 2018, to do same. However, the schedule never included a deadline for Tidewater to file its material, given that Tidewater had not manifested its interest in participating in the debate at the time.

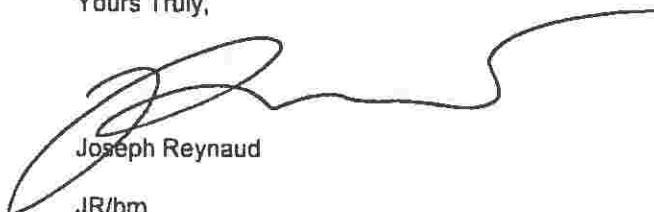
In that regard, we draw your attention to the fact that the Insolvency proceedings in respect of Ranch began in June of this year. Moreover, the Reed Affidavit alleges that (a) Tidewater is a sophisticated and diversified public company; (b) Tidewater is alleged to be a creditor of Ranch, for significant sums; and (c) Tidewater has had access to the publicly-available documents posted on the Receiver's website.

We first learned of Tidewater's participation in this matter last Friday, when the Reed Affidavit was served on the Service List. It is our view that the filing of the Reed Affidavit at this late juncture is irregular and as a result, we respectfully wish to advise the Court and the parties that TEC will apply to have the Reed Affidavit struck from the record. Indeed, the November 2 date was the deadline for Predator to file its reply brief, not a deadline for previously unannounced litigants to file new evidence in the Court record at the last minute, after the scheduled date for cross-examinations (i.e. on or before October 26) had passed.

Alternatively, should the Court nevertheless allow the filing of the Reed Affidavit, TEC wishes to be afforded, at the very least, an opportunity to test the reliability of this evidence by cross-examining Mr. Reed. In order for this to take place however, we will require an adjournment of the November 7 hearing on the Predator Application.

Although TEC will be filing a formal application as soon as possible, we wanted to advise your Ladyship and the parties immediately in light of the potential impact of this issue on the scheduling of the hearing on the Predator Application.

Yours Truly,



Joseph Reynaud

JR/bm

cc: Carole J. Hunter, DLA Piper (Canada) LLP – via email: carole.hunter@dlapiper.com
Counsel for Tidewater Midstream and Infrastructure Ltd.

Ryan Zahara, Blake Cassels Graydon LLP – via email: ryan.zahara@blakes.com
Counsel for Predator Oil BC Ltd.

Josef Kruger and Robyn Gurofsky, Borden Ladner Gervais LLP – via email: jkruger@blg.com and rgurofsky@blg.com
Counsel for Ernst & Young Inc., in its capacity as Receiver of Ranch Energy Corporation

Tom Cumming, Gowling WLG LLP – via email: tom.cumming@gowlingwlg.com
Counsel for Ryan Tobber and 2118469 Alberta Ltd.