



COURT FILE NO.: 2001-01349

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF ROYAL BANK OF CANADA

DEFENDANTS PETRO WEST LIMITED PARTNERSHIP and
PETRO WEST LTD.

APPLICANT ERNST & YOUNG INC., in its capacity as receiver
and manager of PETRO WEST LIMITED
PARTNERSHIP and PETRO WEST LTD.

ADDRESS FOR
SERVICE AND
CONTACT MLT Aikins LLP
2100, 222 – 3rd Ave. SW
Calgary, AB T2P 0B4
INFORMATION OF
PARTY FILING THIS
DOCUMENT Attention: Ryan Zahara/Catrina Webster
Telephone: 403-693-5420/4347
Facsimile: 403-508-4349
Email: rzahara@mltaikins.com



COM May 12 2021
J. Lema
500562

AFFIDAVIT OF JOY MUTUKU
Sworn May 11, 2021

I, Joy Mutuku, of the City of Calgary, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am a Legal Assistant with the law firm of MLT Aikins LLP, counsel for Ernst & Young Inc., in its capacity as Receiver and Manager of Petro West Limited Partnership and Petro West Ltd. Accordingly, I have personal knowledge of the facts and matters deposed to herein, unless those facts and matters are stated to be based upon my information and belief, and, in which case, I believe those facts and matters to be true.
2. On May 3, 2021, I caused to be served unfiled copies of the following materials (collectively, the "**Application Materials**") by email and fax to the Service List:
 - a. Application (Final Distribution, Discharge and Approval of the Receiver's Fees and Activities (unfiled));
 - b. Second Report of the Receiver; and
 - c. WebEx Login Information.

3. Attached hereto and marked as **Exhibit "A"** is a copy of our letter and email correspondence dated May 3, 2021 serving the Application Materials on the Service List.
4. On May 3, 2021, I caused to be served the Application Materials by facsimile to Canada Revenue Agency. Attached hereto and marked as **Exhibit "B"** are copies of our fax confirmation to Canada Revenue Agency.
5. On May 3, 2021, I caused to be served the Application Materials by facsimile to the Department of Justice. Attached hereto and marked as **Exhibit "C"** are copies of our fax confirmation to the Department of Justice.
6. On May 3, 2021, I caused to be served the Service List, proof of filing of our Application Materials by email. Attached hereto and marked as **Exhibit "D"** is a copy of our email correspondence dated May 3, 2021 serving the proof of filing on the Service List.
7. On May 10, 2021, I caused to be served an unfiled copy of the Affidavit of Peter Chisholm sworn on May 10, 2021 (the "**Affidavit of Peter Chisholm**") by email on the Service List. Attached hereto and marked as **Exhibit "E"** is a copy of our letter and email correspondence dated May 3, 2021 serving the Affidavit of Peter Chisholm on the Service List.

SWORN BEFORE ME at the City of Calgary,)
in the Province of Alberta, this 11th day of)
May, 2021)
)
)
)
)
)
)
)


A Commissioner for Oaths in and for the
Province of Alberta

AARON MARCHADOUR
STUDENT-AT-LAW


JOY MUTUKU

**THIS IS EXHIBIT "A" TO THE
AFFIDAVIT OF JOY MUTUKU
SWORN BEFORE ME AT Calgary, Alberta,
This 11th day of May 2021**



A Commissioner for Oaths in and for the Province of Alberta

**AARON MARCHADOUR
STUDENT-AT-LAW**

Joy Mutuku

From: Joy Mutuku
Sent: May 3, 2021 3:28 PM
To: peter.chisholm@ca.ey.com; kourtney.rylands@mcmillan.ca; sam.gabor@dentons.com; tcalloway@strategicgroup.ca; Paul.Frank@calgary.ca; Josie.Saab@calgary.ca; lawdepartment@calgary.ca; proptax.commercial@calgary.ca; scollins@mccarthy.ca; adam.maerov@mcmillan.ca
Cc: Ryan Zahara; Catrina Webster
Subject: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. ; Court of Queen's Bench of Alberta Action No. 2001-01349
Attachments: Letter to Service List (May 3, 2021).PDF; Application for Final Distribution, Discharge and Approval of the Receiver's Fees and Activities (Unfiled).pdf; Petro West - Second Report of the Receiver, dated May 3, 2021.pdf; Webex Confirmation 2001 01349.PDF

Please find attached our correspondence.

Thanks

Joy Mutuku
Legal Assistant

P: +1 (403) 693-5403 | **E:** jmutuku@mltaikins.com

Visit our [COVID-19 Resource Centre](#) for help navigating the changing business and legal environment.

MLT Aikins LLP

2100 Livingston Place
222 3rd Ave SW
Calgary, AB T2P 0B4

MLT AIKINS

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Joy Mutuku

From: Joy Mutuku
Sent: May 3, 2021 4:09 PM
To: Jill.Medhurst@justice.gc.ca; alb.fc@justice.gc.ca; George.Body@justice.gc.ca
Subject: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. ; Court of Queen's Bench of Alberta Action No. 2001-01349
Attachments: Letter to Service List (May 3, 2021).PDF; Application for Final Distribution, Discharge and Approval of the Receiver's Fees and Activities (Filed May 3, 2021).PDF; Second Report of the Receiver (Filed May 3, 2021).PDF; Webex Confirmation 2001 01349.PDF

Please find attached our correspondence.

Thanks

Joy Mutuku
Legal Assistant

P: +1 (403) 693-5403 | **E:** jmutuku@mltaikins.com

From: Joy Mutuku
Sent: May 3, 2021 4:07 PM
To: peter.chisholm@ca.ey.com; kourtney.rylands@mcmillan.ca; sam.gabor@dentons.com; tcallaway@strategicgroup.ca; Paul.Frank@calgary.ca; Josie.Saab@calgary.ca; lawdepartment@calgary.ca; proptax.commercial@calgary.ca; scollins@mccarthy.ca; adam.maerov@mcmillan.ca
Cc: Ryan Zahara <RZahara@mltaikins.com>; Catrina Webster <CWebster@mltaikins.com>
Subject: RE: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. ; Court of Queen's Bench of Alberta Action No. 2001-01349

Please find attached proof of filing of our Application Materials.

Thanks

From: Joy Mutuku <jmutuku@mltaikins.com>
Sent: May 3, 2021 3:28 PM
To: peter.chisholm@ca.ey.com; kourtney.rylands@mcmillan.ca; sam.gabor@dentons.com; tcallaway@strategicgroup.ca; Paul.Frank@calgary.ca; Josie.Saab@calgary.ca; lawdepartment@calgary.ca; proptax.commercial@calgary.ca; scollins@mccarthy.ca; adam.maerov@mcmillan.ca
Cc: Ryan Zahara <RZahara@mltaikins.com>; Catrina Webster <cwebster@mltaikins.com>
Subject: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. ; Court of Queen's Bench of Alberta Action No. 2001-01349

Please find attached our correspondence.

Thanks

Joy Mutuku
Legal Assistant

P: +1 (403) 693-5403 | **E:** jmutuku@mltaikins.com

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May 3, 2021

TO SERVICE LIST

Ryan Zahara
Direct Line: (403) 693-5420
E-mail: rzahara@mltaikins.com

Joy Mutuku
Legal Assistant
Direct Line: (403) 693-5403
E-mail: jmutuku@mltaikins.com

Re: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. on behalf of Ernst & Young Inc., in its capacity as the Court-appointed Receiver of Petro West Limited Partnership and Petro West Ltd.; Court of Queen's Bench of Alberta Action No. 2001- 01349

Please find enclosed, for service upon you, unfiled copies of the following materials for our Application scheduled for hearing before Justice M.J. Lema on May 12, 2021 at 10:00 a.m.

1. Application for Final distribution, Approval of Receiver's Fees and Disbursements, Approval of Receiver's Activities, and Discharge of Receiver;
2. Second Report of the Receiver dated May 3, 2021; and
3. WebEx Login information and Notice to Participants.

The above materials have been submitted for filing. We will provide filed copies of the enclosed materials upon receipt.

Yours truly,


MLT AIKINS LLP

Ryan Zahara

c: Catrina J. Webster, MLT Aikins LLP (via email)
Commercial List Coordinator

COURT FILE NUMBER:	2001-01349
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
APPLICANT	ROYAL BANK OF CANADA
RESPONDENTS	ERNST & YOUNG INC. , in its capacity as receiver and manager of PETRO WEST LIMITED PARTNERSHIP AND PETRO WEST LTD.
PARTY FILING THIS DOCUMENT	ERNST & YOUNG INC. , in its capacity as receiver and manager of WILLOW PARK LIMITED PARTNERSHIP, WILLOW PARK CAPITAL CORP., WESLEY CHURCH BUILDING LIMITED PARTNERSHIP, WESLEY CHURCH BUILDING INC., PARAMOUNT BUILDING LIMITED PARTNERSHIP and PARAMOUNT BUILDING LTD.

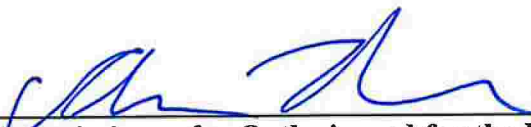
SERVICE LIST
Revised May 3, 2021

NAME, ADDRESS, EMAIL ADDRESS, and FAX NUMBER	COUNSEL FOR (ON BEHALF OF)
MLT Aikins LLP Attention: Ryan Zahara Phone: 403.693.5420 FAX: 403.508.4349 Email: rzahara@mltaikins.com Catrina Webster Phone: 403.693.4347 FAX: 403.508.4349 Email: cwebster@mltaikins.com	Ernst & Young Attention: Peter Chisholm Phone: 403.206.5061 Email: peter.chisholm@ca.ey.com
McMillan LLP Attention: Adam Maerov Phone: 403.215.2752 FAX: 403.531.4720 Email: adam.maerov@mcmillan.ca	Royal Bank of Canada

Kourtney Rylands Phone: 403.355.3326 FAX: 403.531.4720 Email: Kourtney.rylands@mcmillan.ca	
McCarthy Tetrault LLP Attention: Sean Collins Phone: 403.260.3531 FAX: 403.260.3501 Email: scollins@mccarthy.ca	Petro West Limited Partnership and Petro West Ltd.
Dentons Canada LLP 1500-850 2 St SW Calgary, Alberta T2P 0R8 Sam Gabor Phone: 403.268.3048 FAX: 403.268.3100 Email: sam.gabor@dentons.com	Alvarez & Marsal Canada Inc.
Stratus Limited Partnership Suite 300, 1210 – 8th Street SW Calgary, Alberta T2R 1A9 Attention: Travis Callaway Email: tcallaway@strategicgroup.ca	
City of Calgary Attention: Paul Frank Email: Paul.frank@calgary.ca Josie Saab Email: Josie.saab@calgary.ca	City of Calgary Email: lawdepartment@calgary.ca Email: Proptax.commercial@calgary.ca

Canada Revenue Agency Surrey National Verification and Collection Centre 9755 King George Boulevard Surrey, BC V3T 5E1 Phone: 866.891.7403 FAX: 866.219.0311 Department of Justice 900-840 Howe St. Vancouver, BC V6Z 2S9 Fax No. 604-666-1462	
---	--

**THIS IS EXHIBIT "B" TO THE
AFFIDAVIT OF JOY MUTUKU
SWORN BEFORE ME AT Calgary, Alberta,
This 11th day of May 2021**


A Commissioner for Oaths in and for the Province of Alberta

**AARON MARCHADOUR
STUDENT-AT-LAW**

Joy Mutuku

From: faxagent@mlt.com
Sent: May 3, 2021 3:43 PM
To: Joy Mutuku
Subject: Message Sent: 1827212

Delivery Information:

Message #: 1827212

Sender Name: Mutuku,
Sender Company: MLT Aikins LLP
Sender Phone: +1 (403) 6935403

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Total Pages: 29

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SWORN BEFORE ME AT Calgary, Alberta,
This 11th day of May 2021**



A Commissioner for Oaths in and for the Province of Alberta

**AARON MARCHADOUR
STUDENT-AT-LAW**

Joy Mutuku

From: faxagent@mlt.com
Sent: May 3, 2021 3:44 PM
To: Joy Mutuku
Subject: Message Sent: 1827214

Delivery Information:

Message #: 1827214

Sender Name: Mutuku,
Sender Company: MLT Aikins LLP
Sender Phone: +1 (403) 6935403

Remote CSID: 6046661462
Total Pages: 29

Start Time: 5/3/2021 3:33:49 PM
End Time: 5/3/2021 3:44:12 PM
Duration: 9 min 40.312 sec
Delivery Count: 1

Recipient List:

Department of Justice - +1 (604) 6661462

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SWORN BEFORE ME AT Calgary, Alberta,
This 11th day of May 2021**



A Commissioner for Oaths in and for the Province of Alberta

**AARON MARCHADOUR
STUDENT-AT-LAW**

Jennifer Sloan

From: Joy Mutuku
Sent: Monday, May 3, 2021 4:07 PM
To: peter.chisholm@ca.ey.com; kourtney.rylands@mcmillan.ca; sam.gabor@dentons.com; tcallaway@strategicgroup.ca; Paul.Frank@calgary.ca; Josie.Saab@calgary.ca; lawdepartment@calgary.ca; proptax.commercial@calgary.ca; scollins@mccarthy.ca; adam.maerov@mcmillan.ca
Cc: Ryan Zahara; Catrina Webster
Subject: RE: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. ; Court of Queen's Bench of Alberta Action No. 2001-01349
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Please find attached proof of filing of our Application Materials.

Thanks

Joy Mutuku
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Cc: Ryan Zahara <RZahara@mltaikins.com>; Catrina Webster <cwebster@mltaikins.com>
Subject: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. ; Court of Queen's Bench of Alberta Action No. 2001-01349

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Thanks

Joy Mutuku
Legal Assistant
P: +1 (403) 693-5403 | E: jmutuku@mltaikins.com

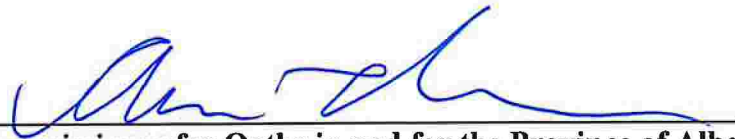
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MLT Aikins LLP
2100 Livingston Place
222 3rd Ave SW
Calgary, AB T2P 0B4



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SWORN BEFORE ME AT Calgary, Alberta,
This 11th day of May 2021**



A Commissioner for Oaths in and for the Province of Alberta

**AARON MARCHADOUR
STUDENT-AT-LAW**

Jennifer Sloan

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To: peter.chisholm@ca.ey.com; kourtney.rylands@mcmillan.ca; sam.gabor@dentons.com; tcallaway@strategicgroup.ca; Paul.Frank@calgary.ca; Josie.Saab@calgary.ca; lawdepartment@calgary.ca; proptax.commercial@calgary.ca; scollins@mccarthy.ca; adam.maerov@mcmillan.ca; Jill.Medhurst@justice.gc.ca; alb.fc@justice.gc.ca; George.Body@justice.gc.ca
Cc: Ryan Zahara; Catrina Webster
Subject: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. ; Court of Queen's Bench of Alberta Action No. 2001-01349
Attachments: Letter to Service List (May 10, 2021).PDF; Affidavit of Peter Chisolm (Sworn May 10, 2021).PDF

Please find attached our correspondence.

Thanks

Joy Mutuku
Legal Assistant
P: +1 (403) 693-5403 | E: jmutuku@mltaikins.com

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May 10, 2021

Catrina J. Webster
Direct Line: (403) 693-4347
E-mail: cwebster@mltaikins.com

TO SERVICE LIST

Joy Mutuku
Legal Assistant
Direct Line: (403) 693-5403
E-mail: jmutuku@mltaikins.com

Re: Royal Bank of Canada v. Petro West Limited Partnership and Petro West Ltd. on behalf of Ernst & Young Inc., in its capacity as the Court-appointed Receiver of Petro West Limited Partnership and Petro West Ltd.; Court of Queen's Bench of Alberta Action No. 2001- 01349

Please find enclosed, for service upon you, an unfiled copy of the Affidavit of Peter Chisolm sworn on May 10, 2021 that we intend to rely on, for the hearing of our Application on May 12, 2021 at 10:00 a.m.

We have submitted the attached Affidavit for filing will provide a filed copy upon receipt.

Yours truly,

MLT AIKINS LLP

Per:



Catrina Webster

c: Ryan Zahara, MLT Aikins LLP (via email)
Commercial List Coordinator (via email)

COURT FILE NUMBER:	2001-01349
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
APPLICANT	ROYAL BANK OF CANADA
RESPONDENTS	ERNST & YOUNG INC. , in its capacity as receiver and manager of PETRO WEST LIMITED PARTNERSHIP AND PETRO WEST LTD.
PARTY FILING THIS DOCUMENT	ERNST & YOUNG INC. , in its capacity as receiver and manager of WILLOW PARK LIMITED PARTNERSHIP, WILLOW PARK CAPITAL CORP., WESLEY CHURCH BUILDING LIMITED PARTNERSHIP, WESLEY CHURCH BUILDING INC., PARAMOUNT BUILDING LIMITED PARTNERSHIP and PARAMOUNT BUILDING LTD.

SERVICE LIST
Revised May 3, 2021

NAME, ADDRESS, EMAIL ADDRESS, and FAX NUMBER	COUNSEL FOR (ON BEHALF OF)
MLT Aikins LLP Attention: Ryan Zahara Phone: 403.693.5420 FAX: 403.508.4349 Email: rzahara@mltaikins.com Catrina Webster Phone: 403.693.4347 FAX: 403.508.4349 Email: cwebster@mltaikins.com	Ernst & Young Attention: Peter Chisholm Phone: 403.206.5061 Email: peter.chisholm@ca.ey.com
McMillan LLP Attention: Adam Maerov Phone: 403.215.2752 FAX: 403.531.4720 Email: adam.maerov@mcmillan.ca	Royal Bank of Canada

Kourtney Rylands Phone: 403.355.3326 FAX: 403.531.4720 Email: Kourtney.rylands@mcmillan.ca	
McCarthy Tetrault LLP Attention: Sean Collins Phone: 403.260.3531 FAX: 403.260.3501 Email: scollins@mccarthy.ca	Petro West Limited Partnership and Petro West Ltd.
Dentons Canada LLP 1500-850 2 St SW Calgary, Alberta T2P 0R8 Sam Gabor Phone: 403.268.3048 FAX: 403.268.3100 Email: sam.gabor@dentons.com	Alvarez & Marsal Canada Inc.
Stratus Limited Partnership Suite 300, 1210 – 8th Street SW Calgary, Alberta T2R 1A9 Attention: Travis Callaway Email: tcallaway@strategicgroup.ca	
City of Calgary Attention: Paul Frank Email: Paul.frank@calgary.ca Josie Saab Email: Josie.saab@calgary.ca	City of Calgary Email: lawdepartment@calgary.ca Email: Proptax.commercial@calgary.ca

Canada Revenue Agency Surrey National Verification and Collection Centre 9755 King George Boulevard Surrey, BC V3T 5E1 Phone: 866.891.7403 FAX: 866.219.0311 Department of Justice 900-840 Howe St. Vancouver, BC V6Z 2S9 Fax No. 604-666-1462	
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