

Clerk's Stamp:

COURT FILE NUMBER	1901-12274
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
PLAINTIFF	ATB FINANCIAL (FORMERLY ALBERTA TREASURY BRANCHES)
DEFENDANTS	1963843 ALBERTA LTD., PENHOLD CROSSING PLAZA LTD., ASHWANI AWASTHI, SWARNJIT SINGH KOONER, SUKHBIR NAIN, OM ACAYOT ABHOY, AND ANURAG SUMAN
DOCUMENT	ORDER FOR INCREASE IN RECEIVER'S BORROWINGS CHARGE
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Dentons Canada LLP Bankers Court 15 th Floor, 850 - 2 nd Street S.W. Calgary, Alberta T2P 0R8 Attention: Derek Pontin / John Regush Ph. (403) 268-6301/7086 Fx. (403) 268-3100 File No.: 131079-102

DATE ON WHICH ORDER WAS PRONOUNCED: June 24, 2021

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Justice Hollins

UPON THE APPLICATION of Ernst & Young Inc. in its capacity as the Court-appointed receiver (the "**Receiver**") of the undertaking, property, and assets of 1963843 Alberta Ltd. ("**196**") and Penhold Crossing Plaza Ltd. ("**Penhold Crossing**", collectively with 196 the "**Debtors**") for an Order approving the Receiver's activities, and further amending the Order granted by the Honourable Justice C.M. Jones on November 6, 2019 in the within Action, as amended by the Order granted by the Honourable Justice Campbell on July 23, 2020, to increase the amount of the Receiver's Borrowings Charge, as defined therein, and as further amended by the Order granted by the Honourable Justice Neufeld on January 14, 2021 to further increase the amount of the Receiver's Borrowings Charge, as defined therein; **AND**

UPON hearing read the Fourth Report of the Receiver regarding 196, the Fourth Report of the Receiver regarding Penhold Crossing, the Receiver's Supplemental Report on the Fourth Report regarding 196, and the Receiver's Supplemental Report on the Fourth Report regarding Penhold Crossing (collectively, the "**Receiver's Reports**"); **AND UPON** hearing counsel for the Receiver and counsel for any other interested parties who may be present; **AND UPON** being satisfied that it is appropriate to do so;

IT IS ORDERED AND DECLARED THAT:

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given.
2. The Receiver's activities as set out in the Receiver's Reports and the Statements of Receipts and Disbursements as attached to the Receiver's Reports are hereby approved.
3. Paragraph 20 of the Order granted by the Honourable Justice C.M. Jones on November 6, 2019 in the within Action, as previously amended, is further amended by deleting the number "\$250,000.00" and inserting in its place the number "\$400,000.00".
4. The Receiver is authorized and directed to obtain an updated Phase II environmental site assessment regarding the Debtors' property.
5. The Receiver is authorized and directed to implement the Renewed Sales Process as described in the Receiver's Reports.
6. Service of this Order may be effected on all interested parties by posting a copy of this Order to the Receiver's website for these proceedings, and service in such manner is deemed to be effected the next business day following such posting.

Michèle H. Hollins

Justice of the Court of Queen's Bench of Alberta