

COURT FILE NUMBER 2003-03284

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE RECEIVERSHIP OF
COPPERLINE EXCAVATING LTD., 1496986
ALBERTA LTD., AND SPRUCE CREEK
CONTRACTING LTD.

APPLICANT ROYAL BANK OF CANADA

DOCUMENT **AFFIDAVIT**

ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS
DOCUMENT SHAREK LOGAN van LEENEN LLP
2100, 10060 Jasper Avenue
Edmonton, Alberta T5J 3R8
Phone: +1 780.413.3100
Fax: +1 780.413.3152

Attention: David Archibold
File No. 15350

Clerk's Stamp



AFFIDAVIT OF DAN MCCULLOCH

Sworn on April 12, 2022

I, Dan McCulloch, of the City of Edmonton, in the Province of Alberta, SWEAR AND SAY THAT:

1. I am a licenced insolvency trustee, and a Senior Manager at Ernst & Young Inc., which is the Court-appointed receiver and manager (the "**Receiver**") of the undertaking, property and assets of Copperline Excavating Ltd., 1496986 Alberta Ltd., and Spruce Creek Contracting Ltd. (together, "**Copperline**").
2. Pursuant to the Order granted by the Honourable Justice J.S. Little of the Court of Queen's Bench of Alberta (the "**Court**") dated February 21, 2020, Ernst & Young Inc. was appointed as the Receiver of Copperline.
3. Pursuant to an Order (Final Distribution, Approval of Receiver's Fees and Disbursements, Approval of Receiver's Activities, and Discharge of Receiver) granted by

the Honourable Justice D.L. Shelley dated October 25, 2021 (the "Discharge Order"), the Court approved the discharge of the Receiver, subject to filing an Affidavit in the within form confirming that the Receiver had completed certain other administrative activities required to complete its administration of the Copperline receivership.

4. This will confirm that the Receiver has completed all other activities required to complete its administration of the Copperline receivership, as set out in paragraph 9 of the Discharge Order.
5. A copy of the Receiver's Final Statement of Receipts and Disbursements is attached hereto as **Exhibit "A"**. The Receiver has confirmed that all disbursements have cleared the account and that the administration is complete.
6. I make this Affidavit further to the requirements of the Discharge Order, and understand that upon the filing of this Affidavit, Ernst & Young Inc. will be fully and finally discharged from its capacity as the Receiver of Copperline.
7. I make this Affidavit for no other or improper purpose.

SWORN before me at the City of
Edmonton in the Province of Alberta,
this 12th day of April, 2022

A Commissioner for Oaths in and
for the Province of Alberta

MATTHEW McCULLOCH
Commissioner for Oaths
Province of Alberta
Expiry Date: February 21, 2025


Name: Dan McCulloch, CIRP, LIT

Copperline Excavating Ltd. - in Receivership
Ernst & Young Inc., Receiver
Final Statement of Receipts and Disbursements per ss. 246(3) of the BIA
For the Period February 21, 2020 to March 11, 2022

This is Exhibit "A" to the Affidavit of
Dan J. McCulloch Sworn
before me this 12 day of April 2022
1.
A Commissioner for Oaths in and for the
Province of Alberta

Receipts:

Sale of assets	1,862,179.00
Accounts receivable	1,428,259.87
GST collected on receipts	95,333.83
Rental income	72,624.84
Cash in bank	65,038.32
Insurance refund	45,473.23
Insurance settlement	33,611.78
Miscellaneous refunds	14,017.30
Proof of claim settlement	5,000.00
Interest income	3,666.28
Total Receipts	<u>3,625,204.45</u>

Disbursements:

Payments to secured creditors	2,552,183.64
Receiver's fees	309,691.31
GST paid on receiver's fees	15,484.57
Legal fees	182,667.01
GST paid on legal fees	9,061.34
Payroll	153,018.61
Occupation rent	131,334.70
Source deductions	91,694.79
Net GST remittances to CRA	71,539.81
Insurance	55,863.83
Utilities	11,966.24
Workers Compensation Board (WCB)	10,738.19
GST paid on disbursements	7,970.51
Fuel	6,055.28
Repairs & maintenance	4,374.12
Waste disposal	4,343.97
Equipment leasing	3,933.48
Property taxes	1,542.86
Appraisal fee	825.00
Security	258.00
Bank charges	232.00
Office supplies	215.19
Filing fees	210.00
Total Disbursements	<u>3,625,204.45</u>

Funds in Account as at March 11, 2022 0.00

Notes to ss. 246(3) Report:

1. All assets have been realized upon and there are no further assets to pursue.
2. All dividend payments have cleared the Receiver's trust account and the account has been closed.