

THE QUEEN'S BENCH
Winnipeg Centre

IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PROPOSED PLAN OF COMPROMISE OR
ARRANGEMENT WITH RESPECT TO ARCTIC GLACIER INCOME FUND, ARCTIC
GLACIER INC., ARCTIC GLACIER INTERNATIONAL, INC. and the ADDITIONAL
APPLICANTS LISTED IN SCHEDULE "A" HERETO

(collectively, the "APPLICANTS")

APPLICATION UNDER THE COMPANIES' CREDITORS' ARRANGEMENT ACT,
R.S.C. 1985, c. C-36 AS AMENDED

AFFIDAVIT OF DANIEL A. KOTCHEN
Sworn: September 12, 2014

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FILED
QUEEN'S BENCH
SEP 12 2014
LAW COURTS
WINNIPEG

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AFFIDAVIT OF DANIEL A. KOTCHEN

I, Daniel A. Kotchen, of the City of Neenah, in the State of
Wisconsin,

MAKE OATH AND SAY THAT:

1. I am an attorney for Creditor Martin McNulty, and as such have personal knowledge of the facts and matters hereinafter deposed to by me.
2. In or around 2012 or early 2013, my co-counsel Daniel Low and I conferred with Arctic Glacier's U.S. litigation counsel, Paula Render. Ms. Render advised, I did verily believe that Arctic Glacier would be amenable to the appointment of a claims adjudicator located in the United States for

the resolution of Mr. McNulty's claim. Ms. Render stated, and I did verily believe that an American claims adjudicator had been appointed to resolve another claim in the Arctic Glacier bankruptcy, and that it would make sense to appoint an American claims adjudicator to resolve Mr. McNulty's claim given that the United States is the country of residence of Arctic Glacier's and Mr. McNulty's litigation counsel and Mr. McNulty. The United States is also the country of residence of many of the likely witnesses.

3. I was never served notice of the Monitor's motion to appoint a claims officer, and did not otherwise receive actual notice of the motion until months after it was granted. To the best of my knowledge, neither Mr. McNulty nor Mr. Low received notice of the motion and neither they nor I were aware of it until November 2013 – months after it was granted.

4. Before filing the motion to appoint a claims officer, the Monitor did not consult with Mr. McNulty, Mr. Low, or myself about the appropriate process for resolving Mr. McNulty's claim.

5. When the Monitor informed Mr. Low and me on November 12, 2013 of the Monitor's intent to refer Mr. McNulty's claim to Justice Ground, Mr. Low and I immediately objected, and questioned why the claim would not be decided by an American claims adjudicator as we had been led to

believe.

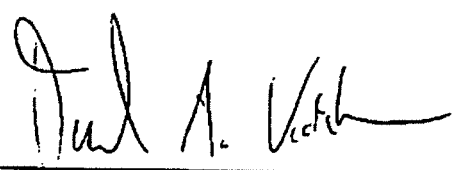
6. Although Mr. McNulty's counsel timely filed a claim on behalf of Mr. McNulty, neither Mr. McNulty nor his counsel received notice of the relevant proceedings in this matter until after being added to the service list for this matter in late 2013.

7. Based on Arctic Glacier's assurances through its counsel that Arctic Glacier would support the appointment of an American claims adjudicator, I did not affirmatively seek the appointment of a claims adjudicator based in the United States.

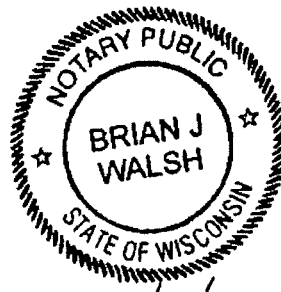
8. I make this affidavit in good faith.

SWORN before me at the City of)
Neenah, in the State of)
Wisconsin, this 12th)
day of September, 2014)


A Notary Public in and for the
State of Wisconsin



Daniel A. Kotchen



expires 1/27/16