



Clerk's stamp: MAR 27 2020

COURT FILE NUMBER

1901-18029

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

IN THE MATTER OF AN APPLICATION UNDER
SECTION 47(1) OF THE BANKRUPTCY AND
INSLVENCY ACT, RSC 1985, C B-3

APPLICANTS

SUN LIFE ASSURANCE COMPANY OF CANADA
AND THOSE OTHER APPLICANTS SET OUT IN
SCHEDULE "A.1" OF THE INTERIM RECEIVERSHIP
ORDER DATED DECEMBER 20, 2019

RESPONDENTS

SUNDANCE PLACE II LTD., SUNDANCE PLACE II
1000 LIMITED PARTNERSHIP BY ITS GENERAL
PARTNER SUNDANCE PLACE II LTD., AND THOSE
OTHER RESPONDENTS SET OUT IN SCHEDULE
"A.2" OF THE INTERIM RECEIVERSHIP ORDER
DATED DECEMBER 20, 2019

DOCUMENT

**ORDER SEALING CONFIDENTIAL FOURTH
REPORT OF THE RECEIVER**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF PARTY
FILING THIS DOCUMENT

Dentons Canada LLP
Bankers Court
15th Floor, 850 - 2nd Street S.W.
Calgary, Alberta T2P 0R8
Attn: David Mann / Sam Gabor
Ph. (403) 268-7097 / 3048 Fx. (403) 268-3100
File No.: 529227-18

I hereby certify this to be a true copy of
the original Order.

dated this 27 day of March 20 20

David Mann

Date on which this order was pronounced:

Location where order was pronounced:

Calgary, Alberta

Name of judge who made this order:

The Honourable Justice K.M. Horner

for Clerk of the Court

UPON THE APPLICATION by Alvarez and Marsal Canada Inc., LIT, in its capacity as Court-appointed receiver and manager (the "**Receiver**") under the Interim Receivership Order dated December 20, 2019 ("**Interim Receivership Order**") and receiver and manager under the Receivership Order (Expanded Powers) dated January 30, 2020 ("**Expanded Receivership Order**") and the Amended and

Restated Receivership Order (Expanded Powers) dated February 19, 2020 (as amended on March 3, 2020, the "**Amended and Restated Receivership Order**");

AND UPON reading the Third Report of the Receiver dated February 18, 2020, filed ("**Third Report**") and the Fourth Report of the Receiver dated March 24, 2020, (confidential and redacted), redacted filed (the "**Fourth Report**"), and the prior reports submitted by the Receiver in these proceedings, the Interim Receivership Order, the Expanded Receivership Order, the Amended and Restated Receivership Order, and such additional pleadings and proceedings had and taken in this action;

AND UPON having read the Affidavit of Service of Michelle Schop sworn March 26, 2020, filed;

AND UPON hearing the submissions of counsel to the Receiver, counsel for those Applicants under the Interim Receivership Order and Amended and Restated Receivership Order, counsel for the Debtors and counsel or other persons who made submissions at the hearing of this Application either in person or by teleconference;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The manner of service of the within application and the materials in support thereof is hereby deemed good and sufficient, the time for notice is hereby abridged to the time provided, and no other person is required to have been served with notice of this application.
2. Division 4 of Part 6 of the *Alberta Rules of Court* does not apply to this application.
3. The Confidential Version of the Fourth Report ("**Confidential Fourth Report**") shall be sealed on the Court file, kept confidential and not form part of the public record, notwithstanding Division 4 of Part 6 of the *Alberta Rules of Court*, *until further order of the Court* ^{KR} pursuant to the *Bankruptcy and Insolvency Act* R.S.C. 1985, c. B-3, as amended.
4. The Clerk of the Court shall file the Confidential Fourth Report in a sealed envelope attached to a notice that sets out the style of cause of these proceedings and states that:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED IN COURT FILE NO. 1901-18029. THE CONFIDENTIAL MATERIALS ARE SEALED PURSUANT TO THE SEALING ORDER GRANTED BY THE HONOURABLE JUSTICE K.M. HORNER ON MARCH 27, 2020 AND ARE NOT TO BE PLACED ON THE PUBLIC RECORD OR MADE PUBLICALLY ACCESSIBLE, UNTIL THE CONCLUSION OF THESE PROCEEDINGS PURSUANT TO THE BANKRUPTCY AND INSOLVENCY ACT, RSC 1985, C- B-3, AS AMENDED.

5. Leave is hereby granted to any person or party affected by this Order to apply to this Honourable Court for a further order modifying or varying the terms of paragraphs 3 or 4 of this Order, with

such application to be brought on no less than seven (7) days' notice to the Applicants, the Receiver, and any other affected party pursuant to the *Alberta Rules of Court*.

6. Service of this Order shall be deemed good and sufficient in the manner set out at paragraphs 42 and 43 of the Amended and Restated Receivership Order.



Justice of the Court of Queen's Bench of Alberta