COURT FILE NUMBER

2301-07385

COURT

COURT OF KINGS BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

IN THE MATTER OF THE COMPANIES CREDITORS 85

ARRANGEMENT ACT, RSC 1985, c C-36, as amended 2023

AND IN THE MATTER OF CYXTERA TECHNOLOGIES AND CYXTERA CANADA, LLC, CYXTERA COMMUNICACIÓNS

CANADA, ULC and CYXTERA CANADA TRS, ULC

APPLICANTS

CYXTERA TECHNOLOGIES, INC., CYXTERA CANADA, LLC,

CYXTERA COMMUNICATIONS CANADA, ULC and

CYXTERA CANADA TRS, ULC

DOCUMENT

AFFIDAVIT OF SERVICE

ADDRESS FOR SERVICE

AND CONTACT

INFORMATION OF

PARTY FILING THIS

DOCUMENT

Gowling WLG (Canada) LLP

421 7 Ave SW Suite 1600 Calgary, AB T2P 4K9

Attn: Tom Cumming/Sam Gabor/Stephen Kroeger

Ph. 1 403 298 1946

File No.: A171290

AFFIDAVIT OF SERVICE OF KRISTY DEIURE Sworn on July 11, 2023

I, KRISTY DEIURE of the City of Calgary, in the Province of Alberta, SWEAR THAT:

- 1. I am a legal assistant employed by Gowling WLG (Canada) LLP ("Gowlings"), counsel for Cyxtera Technologies, Inc., Cyxtera Canada, LLC, Cyxtera Communications Canada, ULC, and Cyxtera Canada TRS, ULC (collectively, the "Debtors") in this proceeding, and as such have personal knowledge of the matters hereinafter deposed to, except where stated to be based on information and belief, in which case I believe the same to be true.
- 2. I am 18 years of age or older.
- 3. Attached hereto and marked as **Exhibit** "A" is a copy of the service list (the "Service List").
- 4. Attached hereto and marked as **Exhibit** "B" is a copy of the service letter dated June 30, 2023 (the "Service Letter").

- 5. On June 30, 2023 I served, those parties on the Service List receiving documents via email (the "Service List E-mail Parties") by TitanFile e-mail channel, with filed copies of the following documents:
 - i. a copy of the Service Letter;
 - ii. a copy of the Service List;
 - iii. the filed Application of the Applicants in this proceeding dated June 30, 2023 with draft form of order and WebEx instructions attached as schedules "A" and "B" to the application (the "Application");
 - iv. the filed Affidavit #2 of Eric Koza Sworn June 30, 2023;
 - v. the filed Affidavit of Kristy DeIure sworn June 30, 2023;
 - vi. the filed Brief of Law of the Foreign Representative dated June 30, 2023; and
 - vii. the Book of Authorities to the Brief of Law of the Foreign Representative dated June 30, 2023

(collectively the "Court Materials")

- 6. Attached hereto and marked as **Exhibit** "C" is a copy of the TitanFile channel e-mail sent to the Service List Email Parties. My Titan File e-mail channel email contained a typo stating that unfiled copies were being served at this time; however, filed copies were attached at the time of sending.
- 7. On June 30, 2023 I served, by e-mail correspondence, the Court Materials on the following party as they had previously indicated that they were unable to receive documents through TitanFile e-mail channel and therefore must be served directly:
 - a) Jeffrey Gleit and Matthew Bentley of ArentFox Schiff LLP to their email addresses <u>Jeffrey.Gleit@afslaw.com</u> and <u>matthew.bentley@afslaw.com</u>.

(the "Service List Direct Service Party").

- 8. Attached hereto and marked as **Exhibit** "**D**" is a copy of the e-mail sent to the Service List Direct Service Party.
- 9. On June 30, 2023 I received an undeliverable e-mail notification for Jeffrey Gleit and Matthew Bentley in paragraph 7(a) above stating that the file size of the documents was too large for my e-mail to be delivered.
- 10. Attached hereto and marked as **Exhibit** "**E**" is a copy of the undeliverable e-mail notification for my e-mail to Mr. Gleit and Mr. Bentley. As such, I am informed by Stephen Kroeger of Gowlings, and do verily believe, that on July 16, 2023 Mr. Kroeger emailed the Court Materials to Mr. Gleit and Mr. Bentley Attached hereto and marked as **Exhibit** "**F**" is a copy of the e-mail sent from Mr. Kroeger to Mr. Gleit and Mr. Bentley.

- 11. I am informed by Mr. Kroeger, and do verily believe, that on July 5, 2023 he received an e-mail from the Ministry of the Attorney General (Ontario) (the "Attorney General") requesting that he send them copies of the Court Materials as they could not be accessed through TitanFile e-mail channel. Attached hereto and marked as Exhibit "G" is a copy of the e-mail sent from the Attorney General to Mr. Kroeger.
- 12. I am further informed by Mr. Kroeger, and do verily believe, that on July 5, 2023 he emailed the Court Materials to the Attorney General.
- 13. Attached hereto and marked as **Exhibit** "**H**" is a copy of the e-mail sent from Mr. Kroeger to the Attorney General.
- 14. As of the date of my Affidavit I have not received any further undeliverable notifications for the e-mail sent to the Service List E-mail Parties.
- 15. As of the date of my Affidavit I have not received any further undeliverable notifications for the e-mails sent to the Service List Direct Service Party.
- 16. On June 30, 2023 I served, by Canada Post Registered Mail, the Service Letter, a copy of the Service List and an unfiled copy of the Application on the following parties in the Service List:
 - a) Hewlett-Packard financial services Canada Company to their mailing address, 5150 Spectrum Way Mississauga, ON L4W 5G1;
 - b) Ministry of The Attorney General (Ontario) to their mailing address McMurtry-Scott Building 720 Bay Street, 11th Floor Toronto, ON M7A 2S9 Attention: Caroline Mulroney, Attorney General Reference #M-2023-4969;
 - c) Deputy Attorney General Ministry of Attorney General to their mailing address, PO Box 9290 STN Prov Govt, Victoria, BC V8W 9J7 – Attention: Attorney General;
 - d) The City of Vancouver to its mailing address 515 West 10th Avenue, Vancouver, BC V5Z 4A8;
 - e) Canada Revenue Agency (Ontario) Sudbury Tax Centre to its mailing address of Post Office Box 20000, Station A, Sudbury, ON P3A 5C1;
 - f) Canada Revenue Agency (Quebec), Guy Favreau Complex, to their mailing address, 200 Rene-Levesque Boulevard W, Montreal, QC H2Z 1X4;
 - g) Canada Revenue Agency Shawinigan Sud National Verification and Collections Centre to their mailing address, 4695 shawinigan-Sud Boulevard, Shawinigan, QC G9P 5H9; and
 - h) Canada Revenue Agency, Surrey National Verification A to their mailing address, 9755 King George Boulevard, Surrey, BC V3T 5E1;

(collectively, the "Service List Registered Mail Parties").

- 17. Attached hereto and marked as **Exhibit** "**I**" is a copy of the Canada Post receipt for the registered mail sent to the Service List Registered Mail Parties.
- 18. Attached hereto and marked as **Exhibit** "J" are copies of the Canada Post Delivery Confirmations and/or service updates for the registered mail sent to the Service List Registered Mail Parties.
- 19. On June 30, 2023 our office was provided with an E-mail from the Court of King's Bench of Alberta indicating that due to a conflict with the Honourable Justice D.B. Nixon's schedule that the court time set aside for the Application to be heard on July 4, 2023 would no longer be available. The e-mail from the Court of King's Bench further requested that we reschedule to a new court date of July 11, or 12, 2023.
- 20. The Court application in paragraph 21 above was then rescheduled to July 12, 2023 at 12:45 p.m.
- 21. On July 5, 2023 Gowlings received, e-mail correspondence from the Court of King's Bench, with WebEx instructions for the newly confirmed court date of July 12, 2023, (the "Updated WebEx Instructions").
- 22. Attached hereto and marked as **Exhibit** "**K**" is a copy of the July 5, 2023 e-mail from the Court of Kings Bench.
- 23. I am informed by Mr. Kroeger, and do verily believe, that on July 5, 2023 he served by email correspondence a copy of the Updated WebEx Instructions on the Service List Email Parties. Attached hereto and marked as **Exhibit** "L" is a copy of the July 5, 2023 e-mail from Mr. Kroeger to the Service List Email Parties.
- 24. I am informed by Mr. Kroeger that as of the date of my Affidavit he has not received any undeliverable notifications for his e-mail sent to the Service List E-mail Parties on July 5, 2023.
- On July 5, 2023 I served, by Canada Post Registered Mail, a service letter (the "July 5, 2023 Service Letter"), a copy of the Service List, the Updated Webex instructions and our proof of filing for the Application on the Service List Registered Mail Parties.
- 26. Attached hereto and marked as **Exhibit** "**M**" is a copy of the July 5, 2023 Service Letter sent to the Registered Mail Parties.
- 27. Attached hereto and marked as **Exhibit** "**N**" is a copy of the Canada Post receipt for the registered mail sent to the Registered Mail Parties.

28. Attached hereto and marked as **Exhibit** "O" are copies of the Canada Post Delivery Confirmations for the registered mail sent to the Registered Mail Parties.

SWORN BEFORE ME on July 11th, 2023 at the City of Calgary, in the Province of Alberta

A Commissioner of Oaths in and for the Province of Alberta

KRISTY DEIURE

This is **Exhibit "A"** referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

COURT FILE NO.:

2301-07385

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

PROCEEDINGS

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, RSC 1985, c C-36, as amended

AND IN THE MATTER OF CYXTERA

TECHNOLOGIES, INC., CYXTERA CANADA, LLC, CYXTERA COMMUNICATIONS CANADA, ULC and

CYXTERA CANADA TRS, ULC

APPLICANTS

CYXTERA TECHNOLOGIES, INC., CYXTERA CANADA, LLC, CYXTERA COMMUNICATIONS CANADA, ULC and CYXTERA CANADA TRS, ULC

GOWLING WLG (CANADA) LLP

MATTER NO.

Gowling WLG (Canada) LLP 1600, 421 – 7th Avenue SW

Calgary, AB T2P 4K9

Attn: Tom Cumming/Sam Gabor/Stephen Kroeger

Phone: 403 298 1946 File No.:A171290

DOCUMENT:

SERVICE LIST - Last Updated June 28, 2023

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E-mail: tom.cumming@gowlingwlg.com	
Attention: Sam Gabor	
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E-mail: sam.gabor@gowlingwlg.com	

PARTY	RELATIONSHIP
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E-mail: stephen.kroeger@gowlingwlg.com	
KIRKLAND & ELLIS LLP	USA Counsel for the Applicants
KIRKLAND & ELLIS INTERNATIONAL LLP	
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Facsimile: (212) 446-4900	
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E-man. emistopher.marcus@kirkiand.com	
Attention: Derek I. Hunter (pro hac vice pending)	
E-mail: derek.hunter@kirkland.com	
Attention: Oliver Pare	
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Attention: Warren A. Usatine, Esq.	
E-mail: wusatine@coleschotz.com	
Attention: Felice R. Yudkin, Esq.	
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Goodmans LLP	Canadian Counsel the DIP Lenders
Bay Adelaide Centre – West Tower	Cumudian Councer in 211 Zenavis
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Attention: Joe Pasquariello Phone: 416-597-4216	
E-mail: jpasquariello@goodmans.ca	
D man. pasquarenowgoodmans.ca	
Attention: Kyle Gerow	
Phone: 416-849-6934	
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Phone: 916-849-6986	
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PARTY	RELATIONSHIP
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E-mail: sgreenberg@gibsondunn.com	
Wilmington Savings Fund Society, FSB	Administrative Agent for the DIP
500 Delaware Ave	Lenders
Wilmington, DE USA 19801	
Attention: John McNichol	
Phone: 302-573-3269	
E-mail: jmcnichol@wsfsbank.com	
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Attention: Jeffrey Gleit	
E-mail: <u>Jeffrey.Gleit@afslaw.com</u>	
Attention, Motthery Doubley	
Attention: Matthew Bentley E-mail: matthew.bentley@afslaw.com	
E-man. matthew.bentiey@aisiaw.com	
*Must be served directly	
Davis Polk & Wardwell LLP	Counsel to the Administrative Agent
450 Lexington Avenue	
New York, NY 10017	
Attention: Kenneth J. Steinberg	
Phone: 212-450 4566	
E-mail: kenneth.steinberg@davispolk.com	

PARTY	RELATIONSHIP
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Calgary, AB T2P 3H7	
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E-mail: okonowalchuk@alvarezandmarsal.com	
Attention: Cassie Riglin	
Phone: 403-538 7519	A
E-mail: criglin@alvarezandmarsal.com	
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Attention - Preet Saini	
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Email - Preet.Saini@mcmillan.ca	
AlixPartners, LLP	Restructuring Advisor to Applicants
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New York, NY 10022	
Attention: Eric S. Koza	
Phone: 212-561-4152	
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Attention - Richard Robbins	
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Guggenheim Partners	Financial Advisor to Applicants
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New York, NY 10017	
Attention: Ronen Bojmel, Senior Managing Director -	
Investment Banking	
Phone: 212-377-4085	
E-mail: ronen.bojmel@guggenheimpartners.com	

PARTY	RELATIONSHIP
Citibank, N.A. Phone: 1615 Brett Road, Building III New Castle, DE 19720	Administrative Agent for First Lien Facility Lenders
Attention: Loan Administration Phone: 212-994-0847	
E-mail: GLOriginationOps@citigroup.com	
Norton Rose Fulbright Canada LLP 222 Bay Street, Suite 3000, P.O. Box 53 Toronto, ON M5K 1E7	Canadian Counsel to Citibank, N.A.
Attention: Noah Schein E-mail: noah.schein@nortonrosefulbright.com	·
Attention: Arnold Cohen Email: arnold.cohen@nortonrosefulbright.com	
Davis Polk & Wardwell LLP 450 Lexington Avenue New York, NY 10017	USA Counsel to Citibank, N.A.
Attention: Angela M. Libby Phone: 212-450-4433 E-mail: angela.libby@davispolk.com	
Attention: David Kratzer Phone: 212-450-4214 E-mail: david.kratzer@davispolk.com	
Norton Rose Fulbright Canada 400 3rd Avenue SW, Suite 3700 Calgary, AB T2P 4H2	USA Counsel to Citibank, N.A.
Attention: Aaron Stephenson Phone: 403-267-8290 E-mail: aaron.stephenson@nortonrosefulbright.com	
Houlihan Lokey, Inc. 10250 Constellation Boulevard, 5th Floor Los Angeles, CA 90067	Investment Banker to Citibank, N.A.
Attention: Saul E. Burian, Managing Director Phone: 212-497-4245 E-mail: <u>SBurian@HL.com</u>	
Davis Polk & Wardwell LLP 450 Lexington Avenue New York, NY 10017	Landlord for YYZ01 Property
Attention: Kenneth J. Steinberg	

PARTY	RELATIONSHIP
Phone: 212-450 4566	
E-mail: kenneth.steinberg@davispolk.com	
Stutzman, Bromberg, Esserman & Plifka, A Professional	Counsel to Digital Realty Trust, L.P.
Corporation	country man, 211
2323 Bryan Street, Suite 2200	
Dallas, TX 75201	
Attention: Noah K. Hansford	
Fax: 214-969-4999	
E-mail: hansford@sbep-law.com	
Neamsby Investments Inc.	Landlord for the YYZ02 Property
7501 Keele Street, Suite 100	
Concord, ON L4K 1Y2	
Attention: Wayne Chan	
E-,mail: wchan@remingtongroupinc.com	
Fax: 905-326-7331	
Tidan Inc.	Landlord for the YUL01 Property
666 Sherbrooke st. West	
Suite 2300	
Montréal, QC H3A 1E7	
Attention: Legal	
Phone: 514-845-6393	
Fax: 514-845-8640	
E-mail: <u>legal@tidan.com</u>	
Lawson Lundell LLP	Counsel to Polaris Realty (Canada)
Suite 1100 Brookfield Place	Limited
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Calgary, Alberta T2P 1N2	
Attention: Alexis Teasdale	
Phone: 403-218-7564	
E-mail: ateasdale@lawsonlundell.com	
Compagnie de services Financiers Hewlett – Packard Canada	Personal Property Registrant against
5150 Spectrum Way	Cyxtera Communications Canada Inc.
Mississauga, ON L4W 5G1	
Attention: Legal	
E-mail: hpfscustomerservice@hpe.com	
Hewlett-Packard financial services Canada Company	Personal Property Registrant against
5150 Spectrum Way	Cyxtera Communications Canada Inc.
Mississauga, ON L4W 5G1	

PARTY	RELATIONSHIP
Liberty Commercial Finance	Personal Property Registrant against
18302 Irvine Blvd., Suite 300	Cyxtera Communications Canada Inc.
Tustin, CA 92780	
Attention: Legal	1
E-mail: hello@wingspirecapital.com	
Ontario Ministry Of Finance	
33 King St West, 6th Floor	
Oshawa, ON L1H 8H5	. *
Oshawa, Ort Bill olis	
Attention: Insolvency Unit	}
Phone: 1-866-668-8297	
E-mail: insolvency.unit@ontario.ca	
Attorney General of Canada	
Department of Justice	
Ontario Regional Officer, Tax Law Section	
120 Adelaide Street West, Suite 400	
Toronto, ON M5H 1T1	
20.00.00, 0.1, 1.1, 1.1, 1.1, 1.1, 1.1, 1	1
Attention: Diane Winters	}
Phone: 647-256-7459	
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Ministry of The Attorney General (Ontario)	
McMurtry-Scott Building	
720 Bay Street, 11th Floor	
Toronto, ON M7A 2S9	
Attention: Caroline Mulroney, Attorney General	
Phone: 416-326-2220	
Fax: 4163264007	
E-mail: attorneygeneral@ontario.ca	
*Must be served directly – Reference #M-2023-4969	
Danuty Attorney Conoral	
Deputy Attorney General	
Ministry of Attorney General	
PO Box 9290 Stn Prov Govt	
Victoria, BC V8W 9J7	
Attention: Attorney General	

Insolvency Intake Centre
Insolvency Intake Centre

Service List Email Addresses

tom.cumming@gowlingwlg.com; sam.gabor@gowlingwlg.com; stephen.kroeger@gowlingwlg.com; christopher.marcus@kirkland.com; derek.hunter@kirkland.com; oliver.pare@kirkland.com; msirota@coleschotz.com; wusatine@coleschotz.com; fyudkin@coleschotz.com; jpasquariello@goodmans.ca; kgerow@goodmans.ca; bcaldwell@goodmans.ca; sgreenberg@gibsondunn.com; jmcnichol@wsfsbank.com; Jeffrey.Gleit@afslaw.com; matthew.bentley@afslaw.com; kenneth.steinberg@davispolk.com; okonowalchuk@alvarezandmarsal.com; criglin@alvarezandmarsal.com; dmacrae@alvarezandmarsal.com; adam.maerov@mcmillan.ca; Preet.Saini@mcmillan.ca; ekoza@alixpartners.com; rrobbins@alixpartners.com ronen.bojmel@guggenheimpartners.com; GLOriginationOps@citigroup.com; noah.schein@nortonrosefulbright.com; arnold.cohen@nortonrosefulbright.com; angela.libby@davispolk.com; david.kratzer@davispolk.com; aaron.stephenson@nortonrosefulbright.com; SBurian@HL.com; kenneth.steinberg@davispolk.com; hansford@sbep-law.com; wchan@remingtongroupinc.com; legal@tidan.com; ateasdale@lawsonlundell.com; hpfscustomerservice@hpe.com; hello@wingspirecapital.com; insolvency.unit@ontario.ca; diane.winters@justice.gc.ca; attorneygeneral@ontario.ca; ministryofjustice@gov.ab.ca; notif-montreal@revenu.qc.ca;

This is **Exhibit "B"** referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta



June 30, 2023

Via E-Mail, Registered Mail or Courier

Stephen Kroeger
Direct +1 403 298 1018
stephen.kroeger@gowlingwlg.com
File no. A171290

Service List (Attached)

Dear Sir/Mesdames:

Re: In the Matter of Cyxtera Technologies, Inc. et al. Application before the Honourable Justice D.B. Nixon Tuesday, July 4, 2023 at 2:00 p.m. (MST) via Webex

Further to the above noted Application, please find enclosed for service upon you the following documents:

- 1. Notice of Application, Draft Order and Webex instructions;
- 2. Affidavit #2 of Eric Koza, sworn June 30th, 2023;
- 3. Affidavit of Kristy Delure, sworn June 30th, 2023;
- 4. Bench Brief dated June 30, 2023.

Due to the size of the court materials, parties on the service list being served by registered mail, fax or courier have only received the Notice of Application and Draft Order. In order to access full copies of the other materials, please contact Kristy Delure at kristy.deiure@gowlingwlg.com or the undersigned to request access to our Titanfile Link.

Please also contact our office if your email address has not previously been provided to us for service so that we can serve you via email.

We trust that you will find the enclosed to be in order; however, should you have any questions or concerns please do not hesitate to contact me.

Sincerely,

Gowling WLG (Canada) LLP

--- Docusigned by:

Stephen kroeger

Stephen Kroeger



SK:sz Encl. **Exhibit "C"** referred to in the Affidavit of Kristy Delure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Delure, Kristy

From: Sent:

To:

Cc:

Subject:

Attachments:

Kristy.Delure@ca.gowlingwlg.com

June 30, 2023 5:43 PM

christopher.marcus@kirkland.com; derek.hunter@kirkland.com;

oliver.pare@kirkland.com; msirota@coleschotz.com; wusatine@coleschotz.com; fyudkin@coleschotz.com; jpasquariello@goodmans.ca; kgerow@goodmans.ca; bcaldwell@goodmans.ca; sgreenberg@gibsondunn.com; jmcnichol@wsfsbank.com;

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kenneth.steinberg@davispolk.com; okonowalchuk@alvarezandmarsal.com;

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ministryofjustice@gov.ab.ca; notif-montreal@revenu.qc.ca

Cumming, Tom; Gabor, Sam; Kroeger, Stephen

Cyxtera Technologies Inc. et al. - KB Court File No: 2301-7385- Application to be Heard

July 4th; 2023 at 2:00 pm Before the Honourable Justice D.B. Nixon - VIA Webex

2023 - 06 - 30 - Affidavit of K. Delure Sworn June 30, 2023 - FINAL.pdf; 2023 - 06 - 30 -

Brief of Law re Bidding Procedures and Second Day Orders FINAL (57416209).pdf; 2023 - 06 - 30 - Letter to Service List re July 4, 2023 Application Documents.pdf; 2023 - 06 - 30 - Service List.pdf; 2023 - 06 - 30 - Application for July 4 2023 Recognition Order with Draft Form of Order - Final (57428451).pdf; 03 - 2023 - 06 - 30 - Affidavit of E. Koza Sworn June 30, 2023 - FINAL.zip; 2023 - 06 - 30 - Book of Authorities to Brief of Law re

Bidding Procedures and Second Day Orders - FINAL (57373201).pdf

Good afternoon,

Please see the attached service correspondence on behalf of Tom, Cumming Sam Gabor and Stephen Kroeger.

Please note that we are serving unfiled copies at this time, with proof of filing to follow.

We trust you will find the attached to be in order; however, should you have any questions or concerns we will be happy to help you out.

Have a good weekend.

Kristy

Kristy Delure (she/her)
Legal Administrative Assistant
T +1 403 298 1843
kristy.deiure@gowlingwlg.com

Assistant To: Thomas Cumming T +1 403 298 1938

tom.cumming@gowlingwlg.com

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Gowling WLG (Canada) LLP Suite 1600, 421 7th Avenue SW Calgary AB T2P 4K9 Canada



gowlingwlg.com

Gowling WLG | 1,500+ legal professionals worldwide

Exhibit "D" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Delure, Kristy

From:

Delure, Kristy

Sent:

June 30, 2023 5:47 PM

To:

'Jeffrey.Gleit@afslaw.com'; 'matthew.bentley@afslaw.com'

Cc:

Cumming, Tom; Gabor, Sam; Kroeger, Stephen; Zeineddine, Samah

Subject:

Court of Kings Bench Action: 2301-07385 - Judicial District : Calgary - Cyxtera

Technologies, Inc. et. al. - Application to be heard before the Honourable Justice D. B.

Nixon July 4, 2023 @2:00pm MST via Webex

Attachments:

03 - 2023 - 06 - 30 - Affidavit of E. Koza Sworn June 30, 2023 - FINAL.zip; 2023 - 06 - 30 - Letter to Service List re July 4, 2023 Application Documents.pdf; 2023 - 06 - 30 - Service List.pdf; 2023 - 06 - 30 - Application for July 4 2023 Recognition Order with Draft Form of Order - Final (57428451).pdf; 2023 - 06 - 30 - Affidavit of K. Delure Sworn June 30, 2023 - FINAL.pdf; 2023 - 06 - 30 - Brief of Law re Bidding Procedures and Second Day Orders FINAL (57416209).pdf; 2023 - 06 - 30 - Book of Authorities to Brief

of Law re Bidding Procedures and Second Day Orders - FINAL (57373201).pdf

Good afternoon Jeffrey and Matthew,

Please find attached our service correspondence of today's date, on behalf of Stephen Kroeger.

Please let us know if there are any questions or concerns and we will be happy to help you out.

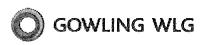
Have a great weekend.

Kristy

Kristy Delure (she/her)
Legal Administrative Assistant
T +1 403 298 1843
kristy.deiure@gowlingwlg.com

Assistant To: Thomas Cumming T +1 403 298 1938 tom.cumming@gowlingwlg.com

Assistant To: Sam Gabor T +1 403 298 1946 sam.gabor@gowlingwlg.com



Gowling WLG (Canada) LLP Suite 1600, 421 7th Avenue SW Calgary AB T2P 4K9 Canada



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Gowling WLG | 1,500+ legal professionals worldwide

Exhibit "E" referred to in the Affidavit of Kristy Delure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Delure, Kristy

From:

Microsoft Outlook

To:

Jeffrey.Gleit@afslaw.com; matthew.bentley@afslaw.com

Sent:

June 30, 2023 5:50 PM

Subject:

Undeliverable: Court of Kings Bench Action: 2301-07385 - Judicial District: Calgary - Cyxtera Technologies, Inc. et. al. - Application to be heard before the Honourable

Justice D. B. Nixon July 4, 2023 @2:00pm MST via Webex

Delivery has failed to these recipients or groups:

Jeffrey.Gleit@afslaw.com (Jeffrey.Gleit@afslaw.com)

Your message is too large to send. To send it, make the message smaller, for example, by removing attachments.

matthew.bentley@afslaw.com (matthew.bentley@afslaw.com)

Your message is too large to send. To send it, make the message smaller, for example, by removing attachments.

The following organization rejected your message: mx0c-00153403.pphosted.com.

Diagnostic information for administrators:

Generating server: GOWEXG53.gowlings.corp

Jeffrey.Gleit@afslaw.com mx0c-00153403.pphosted.com Remote Server returned '552 5.2.3 Message too large'

matthew.bentley@afslaw.com mx0c-00153403.pphosted.com Remote Server returned '552 5.2.3 Message too large'

Original message headers:

<Stephen.Kroeger@ca.gowlingwlg.com>, "Zeineddine, Samah"
<Samah.Zeineddine@ca.gowlingwlg.com>

Subject: Court of Kings Bench Action: 2301-07385 - Judicial District: Calgary - Cyxtera Technologies, Inc. et. al. - Application to be heard before the

Honourable Justice D. B. Nixon July 4, 2023 @2:00pm MST via Webex

Thread-Topic: Court of Kings Bench Action: 2301-07385 - Judicial District: Calgary - Cyxtera Technologies, Inc. et. al. - Application to be heard before the Honourable Justice D. B. Nixon July 4, 2023 @2:00pm MST via Webex

Thread-Index: AdmqrO2bcowpMi3WRbK+uzYardbqPQ==

Date: Fri, 30 Jun 2023 23:47:17 +0000

Message-ID: <126c917a0202458faa930e4288180d0e@ca.gowlingwlg.com>

Accept-Language: en-US Content-Language: en-US X-MS-Has-Attach: yes X-MS-TNEF-Correlator:

x-pgma-masrq: I

x-originating-ip: [10.92.105.219] Content-Type: multipart/mixed;

boundary="_010_126c917a0202458faa930e4288180d0ecagowlingwlgcom_"

MIME-Version: 1.0

Exhibit "F" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Daths in and for the Province of Alberta

Delure, Kristy

From:

Kroeger, Stephen

Sent:

July 11, 2023 10:35 AM

To:

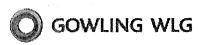
Delure, Kristy

Subject:

FW: Ministry of the Attorney General response - M-2023-4969

Stephen Kroeger

Associate
T +1 403 298 1018
stephen.kroeger@gowlingwlg.com



From: Ministry of the Attorney General <attorneygeneral@ontario.ca>

Sent: July 5, 2023 10:21 AM

To: Kroeger, Stephen < Stephen.Kroeger@ca.gowlingwlg.com > **Subject:** Ministry of the Attorney General response - M-2023-4969

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

Our Reference #: M-2023-4969

Thank you for contacting the Ministry of the Attorney General again in relation to the matter of Cyxtera Technologies, Inc. et al.

As indicated previously, we are unable to open the attachments as they are provided on an unsupported platform. Please resend the documents in a different format. PDFs, scanned copies or photographs are suggested.

Thank you.

Ministry of the Attorney General www.ontario.ca/attorneygeneral

Exhibit "G" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Delure, Kristy

From:

Kroeger, Stephen

Sent:

July 11, 2023 10:13 AM

To:

Delure, Kristy

Subject:

FW: Ministry of the Attorney General response - M-2023-4969

Attachments:

2023 - 06 - 30 - Brief of Law re Bidding Procedures and Second Day Orders FINAL (57416209).pdf; 2023 - 06 - 30 - Application for July 4 2023 Recognition Order with Draft Form of Order - Final (57428451).pdf; 03 - 2023 - 06 - 30 - Affidavit of E. Koza Sworn June 30, 2023 - FINAL.pdf; 2023 - 06 - 30 - Affidavit of K. Delure Sworn June 30,

2023 - FINAL.pdf; 2023 - 06 - 30 - Book of Authorities to Brief of Law re Bidding Procedures and Second Day Orders - FINAL (57373201).pdf; 2023 - 06 - 30 - Letter to

Service List re July 4, 2023 Application Documents.pdf

Stephen Kroeger

Associate
T +1 403 298 1018
stephen kroeger@gowlingwlg.com



From: Kroeger, Stephen Sent: July 5, 2023 2:33 PM

To: Ministry of the Attorney General <attorneygeneral@ontario.ca>

Cc: Zeineddine, Samah <Samah.Zeineddine@ca.gowlingwlg.com>; Delure, Kristy <Kristy.Delure@ca.gowlingwlg.com>

Subject: RE: Ministry of the Attorney General response - M-2023-4969

Good afternoon,

Attached please find the documents filed in these proceedings in advance of an application originally scheduled for July 4th but rescheduled to July 12, 2023 at 12:45pm MST. I note that due to the size of the affidavits and the brief only the bodies of each are attached hereto. All documents filed in these proceedings can be found at the following link: https://www.alvarezandmarsal.com/CyxteraCanada.

Thank you,

Stephen Kroeger

Associate
T +1 403 298 1018

stephen.kroeger@gowlingwlg.com



From: Ministry of the Attorney General <attorneygeneral@ontario.ca>

Sent: July 5, 2023 10:21 AM

To: Kroeger, Stephen < <u>Stephen.Kroeger@ca.gowlingwlg.com</u> > **Subject:** Ministry of the Attorney General response - M-2023-4969

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

Our Reference #: M-2023-4969

Thank you for contacting the Ministry of the Attorney General again in relation to the matter of Cyxtera Technologies, Inc. et al.

As indicated previously, we are unable to open the attachments as they are provided on an unsupported platform. Please resend the documents in a different format. PDFs, scanned copies or photographs are suggested.

Thank you.

Ministry of the Attorney General www.ontario.ca/attorneygeneral

Exhibit "H" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Canada Post Registered Mail Receipt

Sender:

Gowling WLG (Canada) LLP Barristers & Solicitors 1600, 421 - 7th Avenue SW Calgary, Alberta T2P 4K9

Reference number:



REGISTERED DOMESTIC

RÉGIME INTÉRIEUR RECU DU CLIENT

RECOMMANDÉ

CUSTOMER RECEIPT

Hewlett-Packard Financial Services

Canada Company 5150 Spectrum Way Mississauga, ON L4W 5G1



RN 660 435 200 CA

33-086-584 (17-12)

2.)

Bankers

2023 -06- 3 0

Calgary AB **T2P 3E0**

REGISTERED DOMESTIC

RECOMMANDÉ **RÉGIME INTÉRIEUR**

'I CLIENT



Ministry of The Attorney General (Ontario) McMurtry-Scott Building 720 Bay Street, 11th Floor Toronto, ON M7A 2S9

Attention: Caroline Mulroney, Attorney General - Reference #M-2023-4969

Declared Value	Valeur déclarée	\$

33-086-584 (17-12)

12.94

1 888 550-6333

RN 715 429 617 CA

4.)

gankers Ha 106362 2023 -06- 3 0

> Calgary AB T2P 3E0

REGISTERED DOMESTIC

Deputy Attorney General Ministry of Attorney General PO Box 9290 Stn Prov Govt Victoria, BC V8W 9J7 Attention: Attorney General

RECOMMANDÉ **RÉGIME INTÉRIEUR**



6.)

U DU CLIENT

	FOR DELIVERY CONFIRMATION	CONFIRMATION DE LA LIVRAISON
	canadapostica	postescanada.ca
tal	1 888 55	0-6333

RN 660 435 213 CA

12.94

33-086-584 (17-12)

2023 -06- 3 0 Calgary AB T2P 3E0

Canada Post Registered Mail Receipt

Sender:

Gowling WLG (Canada) LLP **Barristers & Solicitors** 1600, 421 - 7th Avenue SW Calgary, Alberta T2P 4K9

Reference number:

1.)

REGISTERED **DOMESTIC**

CUSTOMER RECEIPT

City of Vancouver 515 West 10th Avenue Vancouver, BC V5Z 4A8 RECOMMANDÉ **RÉGIME INTÉRIEUR**

REÇU DU CLIENT



RN 660 435 227 CA

33-086-584 (17-12)

2.)

4.)



REGISTERED **DOMESTIC**

RECOMMANDÉ **RÉGIME INTÉRIEUR**

DU CLIENT

Canada Revenue Agency (Ontario) **Sudbury Tax Centre** Post Office Box 20000, Station A Sudbury, ON P3A 5C1

1888 550-6333

12.94

CPC Tracking Number Numéro de repérage de la SCP RN 715 429 648 CA

33-086-584 (17-12)

Calgary AB T2P 3E0



REGISTERED **DOMESTIC**

RECOMMANDÉ **RÉGIME INTÉRIEUR** DECLI OU CLIENT



3.)

Canada Revenue Agency (Quebec) Guy-Favreau Complex 200 René-Lévesque Boulevard W. Montreal QC, H2Z 1X4

1 888 550-6333

12.94

CPC Tracking Number Numéro de repérage de la SCP RN 660 435 235 CA

33-086-584 (17-12)

2023 -06- 3 0 Calgary AB T2P 3E0

T2P 3E0

3 of 3

Canada Post Registered Mail Receipt

2.)

Sender:

Gowling WLG (Canada) LLP Barristers & Solicitors 1600, 421 – 7th Avenue SW Calgary, Alberta T2P 4K9 Reference number:

9171290 S. Coales

11



RECOMMANDÉ RÉGIME INTÉRIEUR

RECH DIJ CLIENT

R

Canada Revenue Agency Shawinigan – Sud National Verification and Collections Centre

and Collections Centre 4695 Shawinigan-Sud Boulevard Shawinigan, QC G9P 5H9



Declared Valeur Value déclarée

33-086-584 (17-12)

\$ 12.94

RN 660 435 244 CA

Bankers Hall 106362 2023 -06- 3 0

> Calgary AB T2P 3E0



REGISTERED DOMESTIC

CHOTOMED DESCRIPT

Canada Revenue Agency Surrey National Verification and Collections Centre 9755 King George Boulevard Surrey, BC V3T 5E1





FOR DELIVERY CONFIRMATION DE LA LIVRAISON

Canadapost ca postescanada ca or/ou

1 1 888 550-6333

Declared Valeur \$ 12.99

CPC Tracking Number Numéro de repérage de la SCP RN 660 435 258 CA

4.)

Bankers Hall 106362

2023 -06- 3 0

Calgary AB T2P 3E0

5.)

33-086-584 (17-12)

6.)

Exhibit "I" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta



Date: 2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN660435200CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

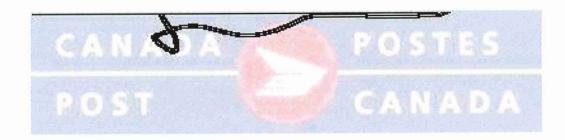
Delivery Date (yyyy/mm/dd)

2023-07-06

Signatory Name

HAWLET P

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



Date:	2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN715429617CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

Delivery Date (yyyy/mm/dd)

2023-07-06

Signatory Name

A name and signature have been captured for the item, but the signatory has requested that they not be displayed on our website. If you need a copy of the name and signature, please call us at 1-888-550-6333. A fee may apply.

Signature

Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN660435213CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

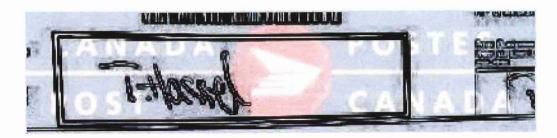
Delivery Date (yyyy/mm/dd)

2023-07-06

Signatory Name

THASS

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN660435227CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

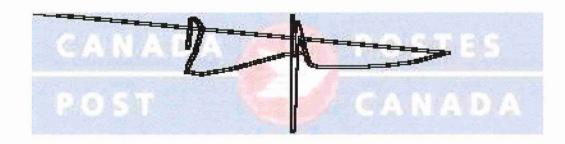
Delivery Date (yyyy/mm/dd)

2023-07-06

Signatory Name

LL

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN715429648CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

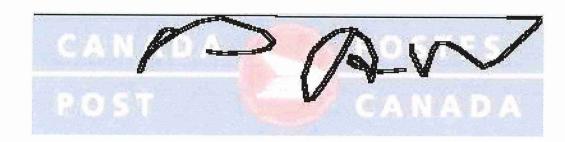
Delivery Date (yyyy/mm/dd)

2023-07-06

Signatory Name

TAXATION P3A

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN660435235CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

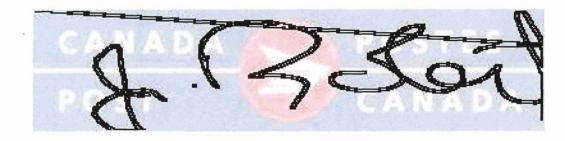
Delivery Date (yyyy/mm/dd)

2023-07-07

Signatory Name

BR

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN660435244CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

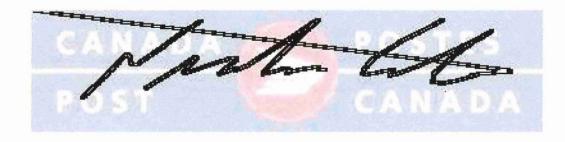
Delivery Date (yyyy/mm/dd)

2023-07-07

Signatory Name

CENTRE FISCAL

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



POST	CANADA
	The state of the s

Date: 2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN660435258CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

Delivery Date (yyyy/mm/dd)

2023-07-07

Signatory Name

A name and signature have been captured for the item, but the signatory has requested that they not be displayed on our website. If you need a copy of the name and signature, please call us at 1-888-550-6333. A fee may apply.

Signature

Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)

Exhibit "J" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Samah Mouhsen Zeineddine A Commissioner for Oaths in and for Alberta My Commission Expires September 14, 2023

Delure, Kristy

From:

RemoteHearings QB < RemoteHearings.QB@albertacourts.ca>

Sent:

July 5, 2023 9:58 AM

To:

Kroeger, Stephen; Delure, Kristy; Zeineddine, Samah; Gillespie, Natalie; Cumming, Tom;

Gabor, Sam

Cc:

Brenna Amery

Subject:

2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS

ARRANGEMENT ACT - Jul 12, 2023 12:45 PM - NIXON (D.B.), J

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

Virtual Courtroom 02 has been assigned for the following matter:

Date: Jul 12, 2023 12:45 PM

Style of Cause: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT

Presiding Justice: NIXON (D.B.), J

Virtual Courtroom Link:

https://albertacourts.webex.com/meet/virtual.courtroom02

Instructions for Connecting to the Meeting

- 1. Click on the link above or open up Chrome or Firefox and cut and paste it into your browser address bar.
- 2. If you do not have the Cisco Webex application already installed on your device, the site will have a button to install it. Follow installation instructions. Enter your full name and email address when prompted
- 3. Click on the Open Cisco Webex Meeting.
- 4. You will see a preview screen. Click on Join Meeting.

Key considerations for those attending:

- 1. Please connect to the courtroom **15 minutes prior** to the start of the hearing.
- 2. Please ensure that your microphone is muted and remains muted for the duration of the proceeding, unless you are speaking. Ensure that you state your name each time you speak.
- 3. If bandwidth becomes an issue, some participants may be asked to turn off their video and participate by audio only.
- 4. Note: Recording or rebroadcasting of the video is prohibited.
- 5. Note: It is highly recommended you use headphones with a microphone or a headset when using Webex. This prevents feedback.

For more information relating to Webex protocols and procedures, please visit: https://www.albertacourts.ca/qb/court-operations-schedules/webex-remote-hearings-protocol

You can also join the meeting via the "Cisco Webex Meetings" App on your smartphone/tablet or other smart device. You can download this via the App marketplace and join via the link provided above.

Please note this email is responsible for Webex information only. If you have questions about procedure or concerns with your matter, please contact the appropriate Court Coordinator or Judicial Assistant for further assistance.

Thank you, Maria **Exhibit "K"** referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Samah Mouhsen Zeineddine
A Commissioner for Oaths in and for Alberta
My Commission Expires September 14, 2023

Delure, Kristy

From:

RemoteHearings QB < RemoteHearings.QB@albertacourts.ca>

Sent:

July 5, 2023 9:58 AM

To:

Kroeger, Stephen; Delure, Kristy; Zeineddine, Samah; Gillespie, Natalie; Cumming, Tom;

Gabor, Sam

Cc:

Brenna Amery

Subject:

2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS

ARRANGEMENT ACT - Jul 12, 2023 12:45 PM - NIXON (D.B.), J

This message originated from outside of Gowling WLG. | Ce message provient de l'extérieur de Gowling WLG.

Virtual Courtroom 02 has been assigned for the following matter:

Date: Jul 12, 2023 12:45 PM

Style of Cause: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT

Presiding Justice: NIXON (D.B.), J.

Virtual Courtroom Link:

https://albertacourts.webex.com/meet/virtual.courtroom02

Instructions for Connecting to the Meeting

- 1. Click on the link above or open up Chrome or Firefox and cut and paste it into your browser address bar.
- 2. If you do not have the Cisco Webex application already installed on your device, the site will have a button to install it. Follow installation instructions. Enter your full name and email address when prompted
- 3. Click on the Open Cisco Webex Meeting.
- 4. You will see a preview screen. Click on **Join Meeting**.

Key considerations for those attending:

- 1. Please connect to the courtroom 15 minutes prior to the start of the hearing.
- 2. Please ensure that your microphone is muted and remains muted for the duration of the proceeding, unless you are speaking. Ensure that you state your name each time you speak.
- 3. If bandwidth becomes an issue, some participants may be asked to turn off their video and participate by audio only
- 4. Note: Recording or rebroadcasting of the video is prohibited.
- 5. Note: It is highly recommended you use headphones with a microphone or a headset when using Webex. This prevents feedback.

For more information relating to Webex protocols and procedures, please visit: https://www.albertacourts.ca/qb/court-operations-schedules/webex-remote-hearings-protocol

You can also join the meeting via the "Cisco Webex Meetings" App on your smartphone/tablet or other smart device. You can download this via the App marketplace and join via the link provided above.

Please note this email is responsible for Webex information only. If you have questions about procedure or concerns with your matter, please contact the appropriate Court Coordinator or Judicial Assistant for further assistance.

Thank you, Maria **Exhibit "L"** referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Samah Mouhsen Zeineddine
A Commissioner for Oaths in and for Alberta
By Commission Expires September 14, 2023

Delure, Kristy

From:

Kroeger, Stephen

Sent:

July 11, 2023 10:21 AM

To:

Delure, Kristy

Subject:

FW: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT - Jul 04, 2023 02:00 PM - NIXON (D.B.), J - Cancelled

Stephen Kroeger

Associate
T +1 403 298 1018
stephen.kroeger@gowlingwlg.com



From: Kroeger, Stephen Sent: July 5, 2023 2:21 PM

Cc: Delure, Kristy < Kristy. Delure@ca.gowlingwlg.com>; Zeineddine, Samah < Samah. Zeineddine@ca.gowlingwlg.com> Subject: RE: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT - Jul 04, 2023

02:00 PM - NIXON (D.B.), J - Cancelled

Good afternoon,

In advance of the application now set for July 12, 2023 at 12:45pm below are the Webex instructions for the hearing. Should you have any issues/questions, please let me know. Thank you.

Virtual Courtroom 02 has been assigned for the following matter:

Date: Jul 12, 2023 12:45 PM

Style of Cause: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT

Presiding Justice: NIXON (D.B.), J

Virtual Courtroom Link:

https://albertacourts.webex.com/meet/virtual.courtroom02

Instructions for Connecting to the Meeting

- 1. Click on the link above or open up Chrome or Firefox and cut and paste it into your browser address bar.
- 2. If you do not have the Cisco Webex application already installed on your device, the site will have a button to install it. Follow installation instructions. Enter your full name and email address when prompted
- 3. Click on the Open Cisco Webex Meeting.
- 4. You will see a preview screen. Click on Join Meeting.

Key considerations for those attending:

1. Please connect to the courtroom 15 minutes prior to the start of the hearing.

- 2. Please ensure that your microphone is muted and remains muted for the duration of the proceeding, unless you are speaking. Ensure that you state your name each time you speak.
- 3. If bandwidth becomes an issue, some participants may be asked to turn off their video and participate by audio only.
- 4. Note: Recording or rebroadcasting of the video is prohibited.
- 5. Note: It is highly recommended you use headphones with a microphone or a headset when using Webex. This prevents feedback.

For more information relating to Webex protocols and procedures, please visit: https://www.albertacourts.ca/qb/court-operations-schedules/webex-remote-hearings-protocol

You can also join the meeting via the "Cisco Webex Meetings" App on your smartphone/tablet or other smart device. You can download this via the App marketplace and join via the link provided above.

Please note this email is responsible for Webex information only. If you have questions about procedure or concerns with your matter, please contact the appropriate Court Coordinator or Judicial Assistant for further assistance.

Stephen Kroeger

Associate
T +1 403 298 1018

stephen kroeger@gowlingwlg.com



From: Kroeger, Stephen Sent: July 4, 2023 2:54 PM

Cc: Delure, Kristy < Kristy. Delure@ca.gowlingwlg.com >; Zeineddine, Samah < Samah. Zeineddine@ca.gowlingwlg.com > Subject: RE: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT - Jul 04, 2023

02:00 PM - NIXON (D.B.), J - Cancelled

Good afternoon,

Further to my trailing email please be advised that the application has been rescheduled for Wednesday, July 12, 2023 at 12:45pm (MST). Webex instructions for the hearing will be provided in due course. As a reminder, all materials filed in the Canadian proceedings can be found at the following link: https://www.alvarezandmarsal.com/CyxteraCanada.

If you have any questions please contact me.

Thank you,

Stephen Kroeger

Associate
T +1 403 298 1018
stephen.kroeger@gowlingwlg.com



From: Kroeger, Stephen Sent: July 2, 2023 8:54 AM

Cc: Delure, Kristy < Kristy.Delure@ca.gowlingwlg.com >; Zeineddine, Samah < Samah.Zeineddine@ca.gowlingwlg.com > Subject: 2301 07385 - CYXTERA TECHNOLOGIES INC. v. COMPANIES CREDITORS ARRANGEMENT ACT - Jul 04, 2023 02:00

PM - NIXON (D.B.), J - Cancelled

Good morning,

Further to the above noted matter, please be advised that due to a conflict in the Honourable Justice Dixon's schedule the Court is rescheduling the application originally set for July 4, 2023 at 2pm to either July 11 or 12, 2023. Once we confirm the new date and time with the Court we will provide same to the service list.

If you have any questions please contact me.

Thank you,

Stephen Kroeger

Associate
T +1 403 298 1018

stephen.kroeger@gowlingwlg.com



Gowling WLG (Canada) LLP Suite 1600, 421 7th Avenue SW Calgary AB T2P 4K9 Canada



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Exhibit "M" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Samah Mouhsen Zeineddine
A Commissioner for Oaths in and for Alberta
by Commission Expires September 14, 2023



July 5, 2023

Via Registered Mail

Stephen Kroeger
Direct +1 403 298 1018
stephen.kroeger@gowlingwlg.com
File no. A171290

Service List (Attached) (the "Service List")

Dear Sir/Mesdames:

Re: In the Matter of Cyxtera Technologies, Inc. et al.
Application before the Honourable Justice D.B. Nixon
Rescheduled for Wednesday, July 12, 2023 at 12:45 p.m. (MST) via Webex

Further to our correspondence of June 30, 2023, please find enclosed for service upon you the following document:

1. Proof of filing of the Notice of Application, with Draft Order and Webex instructions attached (the "Application".

Please note that this application has been rescheduled by the Court for Wednesday, July 12, 2023 at 12:45 p.m. (MST) via Webex. The revised Webex instructions provided to us by the Court are attached as **Schedule** "A" to this letter.

Please also contact our office if your email address has not previously been provided to us for service so that we can serve you via email.

We trust that you will find the enclosed to be in order; however, should you have any questions or concerns please do not hesitate to contact me.

Sincerely,

Gowling WLG (Canada) LLP

Docusigned by:

Stephen Kroeger

SK:kld Encl. **Exhibit "N"** referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Samah Mouhsen Zeineddine
A Commissioner for Onths in and for Alberta
Ly Commission Expires September 14, 2023

Canada Post Registered Mail Receipt

Page 1 of 3

Sender:

Gowling WLG (Canada) LLP Barristers & Solicitors 1600, 421 - 7th Avenue SW Calgary, Alberta T2P 4K9

Date: July 5, 2023

Reference number: A171290

S. Gabor

11



REGISTERED DOMESTIC

RECOMMANDÉ **RÉGIME INTÉRIEUR CU DU CLIENT**



Hewlett-Packard Financial Services Canada Company 5150 Spectrum Way Mississauga, ON L4W 5G1



33-086-584 (17-12)

11.69

RN 750 699 417 CA

2.)



REGISTERED DOMESTIC

RECOMMANDÉ **RÉGIME INTÉRIEUR**

'J CLIENT



Ministry of The Attorney General (Ontario) McMurtry-Scott Building 720 Bay Street, 11th Floor Toronto, ON M7A 2S9 Attention: Caroline Mulroney, Attorney General - Reference #M-2023-4969



CONFIRMATION DE LA LIVRAISON 1888 550-6333

CPC Tracking Number Numéro de repérage de la SCP RN 750 699 479 CA

4.)



33-086-584 (17-12)

REGISTERED DOMESTIC

RECOMMANDÉ RÉGIME INTÉRIEUR



REÇU DU CLIENT

Deputy Attorney General Ministry of Attorney General PO Box 9290 Stn Prov Govt Victoria, BC V8W 9J7 Attention: Attorney General

v. / Code postal 1888 550-6333

11.69

CPC Tracking Number Numéro de repérage de la SCP RN 750 699 425 CA

33-086-584 (17-12)

6.)



Canada Post Registered Mail Receipt

Page 2 of 3 A171290

Sender:

Gowling WLG (Canada) LLP Barristers & Solicitors 1600, 421 - 7th Avenue SW Calgary, Alberta T2P 4K9

Reference number:







RECOMMANDÉ RÉGIME INTÉRIEUR TO DU CLIENT



Canada Revenue Agency (Ontario) **Sudbury Tax Centre** Post Office Box 20000, Station A Sudbury, ON P3A 5C1

11.69

1 888 550-6333

CPC Tracking Number Numéro de repérage de la SCP

RN 750 699 482 CA

4.)



33-086-584 (17-12)

REGISTERED DOMESTIC

RECOMMANDÉ **RÉGIME INTÉRIEUR**

PEÇU DU CLIENT



Canada Revenue Agency (Quebec) Guy-Favreau Complex 200 René-Lévesque Boulevard W. Montreal QC, H2Z 1X4

1 888 550-6333

11.69

CPC Tracking Number Numéro de repérage de la SCP RN 750 699 448 CA

33-086-584 (17-12)

6.)



Canada Post Registered Mail Receipt

Page 3 of 3

Sender:

Gowling WLG (Canada) LLP Barristers & Solicitors 1600, 421 - 7th Avenue SW Calgary, Alberta T2P 4K9

Reference number:



REGISTERED DOMESTIC **CUSTOMER RECEIPT**

RECOMMANDÉ **RÉGIME INTÉRIEUR** RECU DU CLIENT

Canada Revenue Agency Shawinigan - Sud National Verification and Collections Centre 4695 Shawinigan-Sud Boulevard Shawinigan, QC G9P 5H9



CPC Tracking Number Numéro de repérage de la SCP

RN 750 699 451 CA

Calgary AB T2P 3F0

Value déclarée P

11.69 33-086-584 (17-12)

POSTES

REGISTERED DOMESTIC

RECOMMANDÉ **RÉGIME INTÉRIEUR** REÇU DU CLIENT



CHSTOMER RECEIPT

Canada Revenue Agency Surrey National Verification and Collections Centre 9755 King George Boulevard Ado Surrey, BC V3T 5E1



1.69

RN 750 699 465 CA

4.)

2.)

Calgary AB T2P 3E0

5.)

33-086-584 (17-12)

6.)

Exhibit "O" referred to in the Affidavit of Kristy DeIure sworn before me this 11th day of July, 2023

Commissioner of Oaths in and for the Province of Alberta

Samah Mouhsen Zeineddine
A Commissioner for Oaths in and for Alberta
ivy Commission Expires September 14, 2023



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN750699417CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

Delivery Date (yyyy/mm/dd)

2023-07-10

Signatory Name

HP HP

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



Tracking number:

RN750699479CA

Expected delivery: Thursday, July 13 by end of day

Shipping service: Registered Mail

Delivery standard: July 12

Reason for delivery standard date change: Item was received by Canada Post after cut-off time.

Latest updates

Date	Time	Location	Progress	Post office
July 11	10:04 am	MISSISSAUGA,ON	Item processed	
July 10	5:15 pm	VICTORIA,BC	Item in transit	
July 10	2:15 pm	VICTORIA,BC	Item processed	
July 10	5:29 am	VICTORIA,BC	Item re-routed due to processing error; Possible delay	
July 9	4:13 pm	VICTORIA,BC	Item processed	
July 6	6;35 pm	CALGARY,AB	Item processed	
July 5	5:23 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options Signature Required

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Tracking	num	ber:
----------	-----	------

RN750699425CA

Delivered

Latest updates

Date	Time	Location	Progress	Post office
July 7			Signature available	
July 7		VICTORIA,BC	Delivered	
July 7	8:53 am		Signature available	
July 7	8:53 am	VICTORIA,BC	Delivered	
July 7	8:47 am	VICTORIA,BC	Out for delivery	
July 7	7:59 am	VICTORIA,BC	Item processed	
July 6	7:10 pm	CALGARY,AB	Item processed	

Features and options Signature Required

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Tracking number:

RN750699434CA

Expected delivery: Today by end of day Shipping service: Registered Mail Delivery standard: July 12

Reason for delivery standard date change: Item was received by Canada Post after cut-off time.

Latest updates

Date	Time	Location	Progress	Post office
July 7	11:07 am	VANCOUVER,BC	Item redirected to recipient's new address	
July 7	8:36 am	VANCOUVER,BC	Item processed	
July 7	7:05 am	RICHMOND,BC	Item processed	
July 6	9:44 pm	CALGARY,AB	Item in transit	
July 6	6:36 pm	CALGARY,AB	Item processed	
July 5	5:23 pm	CALGARY,AB	Item accepted at the Post Office	

Features and options Signature Required

© 2019 Canada Post Corporation



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN750699482CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

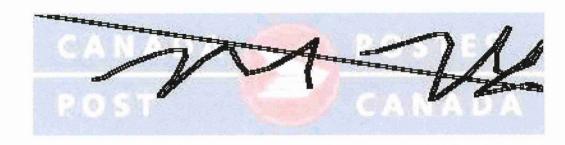
Delivery Date (yyyy/mm/dd)

2023-07-10

Signatory Name

SUDBURY TAXATION

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



Date: 2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN750699448CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

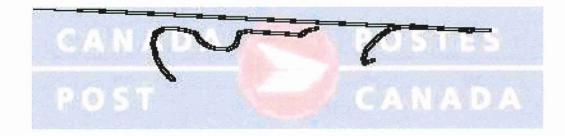
Delivery Date (yyyy/mm/dd)

2023-07-11

Signatory Name

CLAUDE S

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN750699451CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

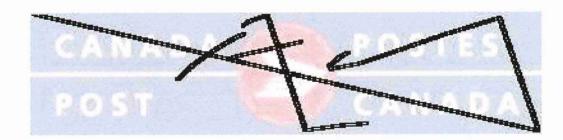
Delivery Date (yyyy/mm/dd)

2023-07-11

Signatory Name

F VALLIERE

Signature



Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)



Date: 2023/07/11

Dear Sir or Madam

Please find below the scanned delivery date and signature of the recipient of the item identified below:

Item Number

RN750699465CA

Product Name

Registered Mail

Reference Number 1

Not Applicable

Reference Number 2

Not Applicable

Delivery Date (yyyy/mm/dd)

2023-07-07

Signatory Name

A name and signature have been captured for the item, but the signatory has requested that they not be displayed on our website. If you need a copy of the name and signature, please call us at 1-888-550-6333. A fee may apply.

Signature

Yours sincerely,

Customer Relationship Network

1-888-550-6333.

(From outside Canada 1 416 979-3033)