

COURT FILE NUMBER

2401-15969

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

Clerk's Stamp



IN THE MATTER OF THE COMPANIES' CREDIT  
ARRANGEMENT ACT, RSC 1985, c. C-36, AS  
AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE  
OR ARRANGEMENT OF ANGUS A2A GP INC.,  
ANGUS MANOR PARK A2A GP INC., ANGUS MANOR  
PARK A2A CAPITAL CORP., ANGUS MANOR PARK  
A2A DEVELOPMENTS INC., HILLS OF WINDRIDGE  
A2A GP INC., WINDRIDGE A2A DEVELOPMENTS,  
LLC, FOSSIL CREEK A2A GP INC., FOSSIL CREEK  
A2A DEVELOPMENTS, LCC, A2A DEVELOPMENTS  
INC., SERENE COUNTRY HOMES (CANADA) INC. and  
A2A CAPITAL SERVICES CANADA INC.

APPLICANTS

ANGUS A2A GP INC., ANGUS MANOR PARK A2A GP  
INC., ANGUS MANOR PARK A2A CAPITAL CORP.,  
ANGUS MANOR PARK A2A DEVELOPMENTS INC.,  
HILLS OF WINDRIDGE A2A GP INC., WINDRIDGE  
A2A DEVELOPMENTS, LLC, FOSSIL CREEK A2A GP  
INC., FOSSIL CREEK A2A DEVELOPMENTS, LCC,  
A2A DEVELOPMENTS INC., SERENE COUNTRY  
HOMES (CANADA) INC. and A2A CAPITAL SERVICES  
CANADA INC.

DOCUMENT

**APPLICATION**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS  
DOCUMENT

MILES DAVISON LLP  
Barristers and Solicitors  
900, 517 – 10th Avenue S.W.  
Calgary, Alberta T2R 0A8  
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File No: 57066 DKJ

**NOTICE TO RESPONDENTS:**

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date:	<b>January 16, 2025</b>	<b><u>COMMERCIAL LIST</u></b>
Time:	<b>10:00 am</b>	
Where:	<b>Court of King's Bench, Calgary Courts Centre, 601 – 5 Street S.W. Calgary, Alberta T2P 5P7</b>	
Before Whom:	<b>The Honourable Justice Feasby</b>	

Go to the end of this document to see what else you can do and when you must do it.

**Remedy claimed or sought:**

1. An Order abridging the time for service, if necessary, and an Order deeming service of this Application good and sufficient.
2. An Order sealing the Affidavit of Neil Warshafsky sworn December 16, 2024.
3. A fiat directing the Affidavit of Allen Lind, sworn December 31, 2024, to be filed notwithstanding that it was sworn in accordance with Ontario's remote protocol rather than Alberta's.
4. Such further and other relief as the Honourable Court considers just and appropriate.

**Grounds for making this application:**

5. A Sealing Order is appropriate, as the Affidavit contains commercially sensitive information about the marketing of the AMP property. It is in the public interest to ensure the integrity of proceedings, there are no alternative measures that would be adequate, and the benefits of the Sealing Order outweigh the deleterious effects.
6. Such further and other grounds as may be advanced by Counsel and this Honourable Court may permit.

**Material or evidence to be relied on:**

7. The pleadings, Affidavits, and Reports filed in this action to date.
8. Such further and other materials as counsel may advise and this Honourable Court may permit.

**Applicable rules:**

9. *The Alberta Rules of Court*

**Applicable Acts and regulations:**

10. The *Companies' Creditors Arrangement Act* (Canada).
11. The *Judicature Act* (Alberta)
12. Such further and other legislation as counsel may advise and this Honourable Court may permit.

**Any irregularity complained of or objection relied on:**

13. N/A

**How the application is proposed to be heard or considered:**

14. On the Commercial List via WebEx.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.