COURT FILE NUMBER

1601-02396

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

**CALGARY** 

**PLAINTIFF** 

ALBERTA TREASURY BRANCHES

DEFENDANT

BREVIA ENERGY INC.

DOCUMENT

RECEIVER'S CERTIFICATE

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF

PARTY FILING THIS

**DOCUMENT** 

**DENTONS CANADA LLP** 

**Bankers Court** 

15<sup>th</sup> Floor, 850 - 2<sup>nd</sup> Street S.W.

Calgary, Alberta T2P 0R8 **Attention: David LeGeyt** 

Ph. (403) 268-3075 Fx. (403) 268-3100

File No.: 529227-14

## **RECITALS**

- Pursuant to an Order of the Honourable Madam Justice J. Strekaf of the Court of Queen's Bench A. of Alberta, Judicial District of Calgary (the "Court") dated February 23, 2016, Alvarez & Marsal Canada Inc. was appointed as the receiver (the "Receiver") of the undertaking, property and assets of Brevia Energy Inc. (the "Debtor").
- B. Pursuant to an Order of the Court dated November 17, 2016, the Court approved the agreement made as of October 16, 2016 (the "Sale Agreement") between the Receiver and Ohana Resources Inc. (the "Purchaser") and provided for the vesting in the Purchaser of the Debtor's right, title and interest in and to the Purchased Assets, which vesting is to be effective with respect to the Purchased Assets upon the delivery by the Receiver to the Purchaser of a certificate confirming (i) the payment by the Purchaser of the Purchase Price for the Purchased Assets; (ii) that the conditions to Closing as set out in the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser; and (iii) the Transaction has been completed to the satisfaction of the Receiver.
- C. Unless otherwise indicated herein, terms with initial capitals have the meanings set out in the Sale Agreement.

Clerk's Stamp

CLERK OF THE COURT **FILED** 

FEB 07 2017

JUDICIAL CENTRE OF CALGARY

## THE RECEIVER CERTIFIES the following:

- 2. The Purchaser (or its nominee) has paid and the Receiver has received the Purchase Price for the Purchased Assets payable on the Closing Date pursuant to the Sale Agreement;
- 3. The conditions to Closing as set out in the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser (or its nominee); and
- 4. The Transaction has been completed to the satisfaction of the Receiver.
- 5. This Certificate is delivered by the Receiver on February 7, 2017.

Alvarez & Marsal Canada Inc., in its capacity as Receiver of the undertaking, property and assets of Brevia Energy Inc., and not in its personal capacity.

Name: Orest Konowalchuk, CA, CIRP, LIT

Title: Vice President