

NOTICE TO CREDITORS

(Supplemental Claims Procedure)

On January 30, 2020, February 19, 2020 and March 3, 2020, numerous entities and more specifically those listed at **Appendix "A"** herein, **(the "Respondents")** were placed into Receivership pursuant to the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3, as amended **(the "BIA")** by orders of the Court of Queen's Bench of Alberta **(the "Court")** in Action No. 1901 – 18029. Alvarez & Marsal Canada Inc. was appointed by the Court as the receiver and manager in these proceedings **(the "Receiver")**.

On March 27, 2020, the Court approved a transaction whereby the property of the Respondents was sold by the Receiver to certain special purpose subsidiaries of TELUS Pensions Master Trust **(collectively "TPMT")**. As part of the purchase price of the transaction, TPMT provided the Receiver a creditor cash pool of \$4.4MM **("Creditor Cash Pool")** to fund a claims process and effect a distribution to affected creditors of the Respondents.

An initial claims process was ordered on September 16, 2020 **("Initial Claims Procedure Order")**, whereby the Receiver solicited claims provable and provable claims and restructuring claims of creditors of those respondents listed in Schedule "A" of the Initial Claims Procedure Order.

On January 18, 2021, the Court directed the Receiver to solicit further "claims provable" and "provable claims" (as defined in the BIA) and restructuring claims from all creditors of the Respondents specifically listed at Appendix A herein for the purpose of determining the additional creditors which will be entitled to claim a distribution from the estates of the Respondents listed at Appendix A herein, being the remaining funds available from the Creditor Cash Pool, following a priority distribution to those creditors of respondents listed in the Initial Claims Procedure Order **(the "Claim(s)")**.

Any creditor having a Claim against the Respondents listed at Appendix A herein, with the exception of:

- (a)
 - i. inter-company claims between the Respondents;
 - ii. claims by the Respondents' direct and indirect shareholders;
 - iii. claims by the Respondents' respective affiliates, including those respondents under the Interim Receivership Order dated December 20, 2019 in Court of Queen Bench Action 1901-18029 **("IRO respondents")**;
 - iv. claims by the related trusts of the Respondents' and the IRO respondents;
 - v. claims by the respective officers, directors and employees of the Respondents and IRO respondents and all of their affiliates and related trusts;
 - vi. to the extent not captured by sub-paragraphs (a)(i) to (v), IEC Ltd. and Audeamus Capital Corp.;

The parties referred to from paragraphs (a)(i) to (vi) are collectively referred to as the **"Strategic Parties"**

- (b) equity claims of the Strategic Parties in the Respondents;
- (c) costs incurred in connection with the administration of the estate of the Respondents on and after December 20, 2019;
- (d) the Receiver's professional fees and disbursements;
- (e) claims by mortgage lenders whose mortgages were paid out or assumed as part of the transaction between the Receiver and certain special purpose subsidiaries of TELUS Pensions Master Trust which transaction was approved by the Court on March 27, 2020 in these proceedings;
- (f) claims by creditors against the respondents specifically listed in Schedule "A" of the Initial Claims Procedure Order;
- (g) such other claims which are excluded pursuant to an order of the Court;

arising against the Respondents before the dates as set out in **Appendix "A"** correlating with each specific Respondent (see the "Pre-Filing Claims Cut-Off Date" column in Appendix "A") of any nature whatsoever, including an unsecured, secured, proprietary, contingent or unliquidated Claim is required to file, in the manner set out in this Notice to Creditors, a Proof of Claim in the prescribed form (which has been provided to you with this Notice to Creditors) with the Receiver in order to participate in any distribution associated with the Receivership proceedings.

Additional copies of the prescribed Proof of Claim form can be obtained by contacting the Receiver via telephone at (403) 538 - 7555 or via e-mail at thilton@alvarezandmarsal.com or it can be downloaded from the Receiver's website at: <https://www.alvarezandmarsal.com/strategicgroup>.

Any creditor who chooses to file a Proof of Claim is required to provide whatever documentation they may have to support their Claim against the Respondents, such as contracts, invoices, bills of lading, and shipping receipts, in relation to the goods and/or services provided to the Respondents in the appropriate currency under which their Claim arose.

All Proof of Claim forms, together with the required supporting documentation, must be sent to Alvarez & Marsal Canada Inc. to the attention of Trevor Hilton by email (thilton@alvarezandmarsal.com), prepaid registered mail, personal delivery, or sent by courier to Bow Valley Square 4, Suite 1110, 250 6th Ave SW, Calgary, AB, T2P 3H7 on or before 5:00 pm Mountain Daylight Time on March 9, 2021 ("Claims Bar Date").

All Claims must account for and be adjusted for any equipment and/or other assets released by the Respondents to the creditor whether by court order or otherwise.

All Claims received by the Receiver or, in the case of mailing, postmarked, after the Claims Bar Date will, unless otherwise ordered by the Court, be forever extinguished, barred, and will not participate in any distributions in the Receivership proceedings.

With respect all Claims, the Receiver will in turn provide to the creditor a notice in writing as to whether their Claim is accepted or disputed in whole or in part, and indicating the reason for the dispute pursuant to a Notice of Revision or Disallowance.

Where a creditor objects to a Notice of Revision or Disallowance, the creditor shall notify the Receiver of its objection in writing (**the "Dispute Notice"**) by regular mail, personal delivery, courier, or electronic mail within 14 days from the date the Notice of Revision or Disallowance was received.

The Receiver will attempt to consensually resolve disputes with respect to any claim. If the dispute cannot be resolved the Receiver may bring an application before the Court for the determination of the claim, failing which, the creditor may bring an application before the Court for a determination.

A creditor that does not provide to the Receiver a Dispute Notice to a Notice of Revision or Disallowance issued by the Receiver shall, unless otherwise ordered by the Court, be conclusively deemed to have accepted the assessment of its Claim as set out in such Notice of Revision or Disallowance.

Dated January 22, 2021 in Calgary, Alberta.

ALVAREZ & MARSAL CANADA INC., in its capacity as Court-appointed receiver in the Receivership of Sundance Place II, et al., in Alberta Court of Queen's Bench Action 1901-18029 and not in its personal or corporate capacity.



Per: _____

Appendix "A" – Respondents

(Please see the Receiver's website for full legal descriptions for the properties listed below - <https://www.alvarezandmarsal.com/strategicgroup>)

Strategic LP (Respondent)	Strategic GP / Nominee (Respondent)	Property Name & Civic Address	Pre-Filing Claims Cut-Off Date
Aura Limited Partnership	Aura Capital Corp.	Building 1, 104 MacKenzie Way SW, Airdrie, AB	February 19, 2020
Aura Limited Partnership	Aura Capital Corp.	Building 2 & 3, 104 MacKenzie Way SW, Airdrie, AB	February 19, 2020
Aura Limited Partnership	Aura Capital Corp.	Building 4, 104 MacKenzie Way SW, Airdrie, AB	February 19, 2020
Avenida Village Limited Partnership	Avenida Village Ltd.	12445 Lake Fraser Drive, Calgary, AB	February 19, 2020
Parallel Centre Limited Partnership	Parallel Centre Ltd.	1040-7 th Avenue SW, Calgary, AB	February 19, 2020
Petro Fina Limited Partnership	Petro Fina Capital Corp.	736-8 th Avenue SW, Calgary, AB	January 30, 2020
Place 9-6 Limited Partnership	Place 9-6 Ltd.	940 6 Avenue SW, Calgary AB	February 19, 2020
Stella Place Limited Partnership	Stella Place Capital Corp.	12847-50 th Avenue, Edmonton, AB	February 19, 2020
Sundance Place II 1000 Limited Partnership	Sundance Place II Ltd.	1000-15 Sunpark Plaza SE, Calgary AB	January 30, 2020
Sundance Place II 3000 Limited Partnership	Sundance Place II Ltd.	3000 – 15 Sunpark Plaza SE, Calgary, AB	February 19, 2020
Sundance Place II 4000 Limited Partnership	Sundance Place II Ltd.	4000 – 15 Sunpark Plaza SE, Calgary, AB	February 19, 2020
Sundance Place II 6000 Limited Partnership	Sundance Place II Ltd.	6000 - 15 Sunpark Plaza SE, Calgary, AB	January 30, 2020
Sundance Place Limited Partnership	Sundance Place II Ltd.	23 Sunpark Drive SE, Calgary, AB	February 19, 2020