

COURT FILE NUMBER 2101-06388
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF ATB FINANCIAL
DEFENDANT ALBERTA FOOTHILLS PROPERTIES LTD.
APPLICANT FTI CONSULTING CANADA INC., in its
capacity as the Court-appointed Receiver of
ALBERTA FOOTHILLS PROPERTIES LTD.



DOCUMENT **SEALING ORDER**
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
MLT AIKINS LLP
Barristers and Solicitors
2100, 222 3rd Avenue S.W.
Calgary, Alberta T2P 0B4
Phone: 403.693.5420
Fax: 403.508.4349
Attention: Ryan Zahara
File: 0052752.00004

DATE ON WHICH THIS ORDER WAS PRONOUNCED: MAY 10, 2023
LOCATION AT WHICH ORDER WAS MADE: CALGARY, ALBERTA
NAME OF THE JUDGE WHO MADE THIS ORDER: JUSTICE C.J. FEASBY

UPON THE APPLICATION (the "**Application**") of FTI Consulting Canada Inc., in its capacity as the Court-appointed receiver (the "**Receiver**") of all of the current and future assets, undertakings, and properties of every nature and kind whatsoever, and wherever situate, including all proceeds thereof, of Alberta Foothills Properties Ltd. (the "**Debtor**"), for an Order sealing certain confidential information, among other things; **AND UPON HAVING READ** the Receivership Order dated May 17, 2021 (the "**Receivership Order**"), the Fourth Report of the Receiver dated May 10, 2023 (the "**Fourth Report**"), the Confidential Supplement to the Fourth Report dated May 10, 2023 (the "**Confidential Supplement**"), the Affidavit of Service of Joy Mutuku; **AND UPON IT** appearing that all interested and affected parties have been served with

notice of the Application; **AND UPON HEARING** the submissions of counsel for the Receiver and all other interested parties present;

IT IS HEREBY ORDERED THAT:

1. Part 6, Division 4 of the *Alberta Rules of Court* does not apply to the Application and the Clerk of the Court is hereby directed to seal the Confidential Supplement.
2. The clerk of the Court is hereby directed to seal the Confidential Supplement on the Court file until the earlier of:
 - i) an Order of this Court directs that the Confidential Supplement be filed in this Action;
 - ii) May 10, 2024; or
 - iii) a sale of the Debtor's assets (the "**Assets**") by the Receiver has closed, and the Receiver files a receiver's certificate with the Clerk of the Court confirming a sale of the Assets has closed.
3. The Clerk of the Court is hereby directed to seal the Confidential Supplement in an envelope setting out the style of cause in the within proceedings and labelled:

THIS ENVELOPE CONTAINS CONFIDENTIAL DOCUMENTS. THESE CONFIDENTIAL DOCUMENTS ARE SEALED ON COURT FILE 2101-06388 PURSUANT TO THE ORDER ISSUED BY JUSTICE C.J. FEASBY ON MAY 10, 2023. THESE CONFIDENTIAL DOCUMENTS ARE NOT TO BE ACCESSED BY ANY PERSON UNTIL EARLIER OF AN ORDER OF THE COURT DIRECTING THAT THESE CONFIDENTIAL DOCUMENTS BE FILED, MAY 10, 2024, OR AFTER THE FILING OF A FINAL RECEIVER'S CERTIFICATE FROM FTI CONSULTING CANADA INC., IN ITS CAPACITY AS RECEIVER OF THE DEBTOR, CONFIRMING THAT THE CONFIDENTIAL DOCUMENTS MAY BE FILED.



THE HONOURABLE MR. JUSTICE C.J. FEASBY
JUSTICE OF THE COURT OF KING'S BENCH OF
ALBERTA