COURT FILE NUMBER

2001-04485

COURT

COURT OF QUEEN'S BENCH

OF ALBERTA

JUDICIAL CENTRE

**CALGARY** 

**PLAINTIFF** 

SANDTON CREDIT SOLUTIONS MASTER

FUND IV, LP

**DEFENDANTS** 

ACCEDE ENERGY SERVICES LTD., ACCEDE FIRE & SAFETY LTD., 1537723 ALBERTA LTD.

and ACCESS VALVE LTD.

**APPLICANT** 

FTI CONSULTING CANADA INC., in its capacity as receiver and manager of ACCEDE ENERGY SERVICES LTD., ACCEDE FIRE & SAFETY LTD., 1537723 ALBERTA LTD. and ACCESS VALVE LTD.

DOCUMENT

**ORDER** 

(Distribution, Approval of Receiver's Fees and Disbursements, and Approval of Receiver's

**Activities**)

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF

PARTY FILING THIS

DOCUMENT

MLT AIKINS LLP 2100, 222 3 Ave

Calgary, Alberta T2P 0B4

Attention: Ryan Zahara/Catrina Webster

Counsel for the Receiver, FTI Consulting Canada Inc.

Phone: 403.693.5420/4347 Fax: 403.508.44349 File: 0052752.00002

DATE ON WHICH ORDER WAS PRONOUNCED: OCTOBER 22, 2020

LOCATION OF HEARING OR TRIAL:

CALGARY, ALBERTA

NAME OF JUDGE WHO MADE THIS ORDER:

HONOURABLE JUSTICE C.M. JONES

**UPON THE APPLICATION** of FTI Consulting Inc. in its capacity as the Court-appointed receiver (the "**Receiver**") of the undertaking, property and assets of Accede Energy Services Ltd., Accede Fire & Safety Ltd., 1537723 Alberta Ltd., and Access Valve Ltd. (collectively, the "**Debtors**"), for an Order of an interim distribution of certain sales proceeds, approval of the

Receiver's fees and disbursements, and approval of the Receiver's activities; AND UPON HAVING READ the Receiver's Third Report dated October 13, 2020 (the "Receiver's Third Report"); AND UPON hearing counsel for the Receiver, counsel for the Plaintiff, and counsel for any other parties in attendance; AND UPON being satisfied that it is appropriate to do so, IT IS ORDERED THAT:

- Service of notice of the Application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of the Application, and time for service of the Application is abridged to that actually given.
- 2. The Receiver is authorized and directed to make the following distribution:
  - (a) \$3,262,405.00 payable to Sandton Credit Solutions Master Fund IV, LP which represent some of the funds in the Receiver's trust account, with a holdback for any potential priority amounts and the expenses of the receivership estate for any priority charges and the legal and professional fees necessary to complete the administration of the Debtors' estates.
- The Receiver's activities as set out in the Receiver's Third Report and the Statement of Receipts and Disbursements as attached to the Receiver's Third Report, are hereby ratified and approved.
- 4. The Receiver's accounts for fees and disbursement, as set out in the Receiver's Third Report are hereby approved without the necessity of a formal passing of accounts.
- 5. The accounts of the Receiver's legal counsel MLT Aikins LLP, for its fees and disbursements, as set out in the Receiver's Third Report, are hereby approved without the necessity of a formal assessment of its accounts.
- 6. This Order must be served only upon those interested parties attending or represented at the within application and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the day of the transmission or delivery of such documents.

7.	Service of this Order	on any party not	attending the	Application is	hereby dispensed with
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The Honourable Justice C.M. Jones
Justice of the Court of Queen's Bench of Alberta