

COURT FILE NUMBER 2101-00811

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFFS CANTECH OILFIELD EQUIPMENT LTD.,  
CELINA CAI XING LUO, HUI YANG XU,  
CHRISTINE YIN HUI, FANG YANG, KING  
CHI HUNG, CHUNG YIN SIU, BAO JING MA,  
SING LIM YEO, YEE KEN YEO, HON HING  
CHOI CHAN, JOY LING CHAN, QIN LU,  
DAOJING FINANCIAL CONSULTING LTD.,  
MAGGIE TING HON, ROYAL GREENLAND  
COMMUNITY LTD., KA FAI PUI, NYUK JIN  
HUI, KAI WAH HUI, and BENJAMIN JOSHUA  
HUI, SARA FAROUK EL-QUTUB, MAHER  
FAREED SHAMLAWI, NECEIB MOUSSA,  
SALLY FARHAT, GANESHA INVESTMENTS  
LTD., JENIFER SHABAN ALI, JAFFAR ALI,  
ZAHIDA REHANA KHAN, SAHEED  
MOHAMMAD TAKI, MOHAMED HASSAN  
KHATTAB, 2027498 ALBERTA LTD. and  
HARILEELA INVESTMENTS LTD.

DEFENDANTS ROXDALE GARDENS LTD., ROHIT SETHI  
also known as ROY SETHI, ROHIT SETHI by  
and through his trustee MELANIE J. LEIGH,  
YUVRAJ VERMA, YUVRAJ VERMA by and  
through his trustee MELANIE J. LEIGH, VIKAS  
KWATRA, and VIKAS KWATRA by and through  
his trustee MELANIE J. LEIGH

AND IN THE MATTER OF THE  
RECEIVERSHIP OF ROXDALE GARDENS  
LTD.

APPLICANT FTI CONSULTING CANADA INC., in its  
capacity as Court-appointed Receiver and Manager  
of the assets, undertakings and properties of  
ROXDALE GARDENS LTD.

RESPONDENT CANCOM ROXDALE INC.

DOCUMENT **RESTRICTED COURT ACCESS ORDER**

Clerk's Stamp

*LA*

**FEB 17, 2022**  
**O22687**

Restricted Court Access Order  
17th February 2022

*Arguelles*

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
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File Number: 39586-2006

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DATE ON WHICH ORDER WAS PRONOUNCED: February 17, 2022

LOCATION OF HEARING: Calgary Courts Centre, Calgary, Alberta

NAME OF JUSTICE WHO GRANTED THIS ORDER: Madam Justice K.M. Horner

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UPON THE APPLICATION of FTI Consulting Canada Inc. (“**FTI**”), in its capacity as Court-appointed receiver and manager (the “**Receiver**”) of the assets, undertakings and properties of Roxdale Gardens Ltd.) “**Roxdale**”) (for the purposes of this Order, FTI, in its capacity as Receiver over Roxdale will be referred to herein as the “**Plaintiff**”), and upon reading the Statement of Claim, the Affidavit of Default, Value and Valuator’s Report dated February 7<sup>th</sup>, 2022, the Certified Copy of Title and evidence of service thereof; and upon hearing counsel for the Plaintiff and other interested parties;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

**RESTRICTED COURT ACCESS ORDER**

1. Exhibit “G” to the Affidavit of Default, Value and Valuator’s Report of Dustin Olver filed February 7, 2022 (the “**Affidavit of Default, Value and Valuator’s Report**”) contains multiple appraisals of the value of the Lands (defined below) and therefore, Exhibit “G” shall be sealed on the Court file, notwithstanding Division 4 of Part 6 of the *Alberta Rules of Court*, AR 124/2010.
2. Exhibit “G” to the Affidavit of Default, Value and Valuator’s Report shall be sealed and kept confidential, to be shown only to a Justice of the Court of Queen’s Bench of Alberta, and accordingly, the Clerk of the Court shall take Exhibit “G” to the Affidavit of Default, Value and Valuator’s Report and place same in a sealed envelope, attached to a notice that sets out the style of cause of these proceedings and states that:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED IN COURT FILE NO. 2101-00811. THE CONFIDENTIAL MATERIALS ARE SEALED PURSUANT TO THE SEALING ORDER ISSUED BY THE HONOURABLE JUSTICE K.M. HORNER ON FEBRUARY 17, 2022, AND ARE NOT TO BE PLACED ON THE PUBLIC RECORD OR MADE PUBLICLY ACCESSIBLE.

3. The Plaintiff shall be permitted to file a replacement affidavit with Exhibit “G”, redacted, which shall not be sealed. The Plaintiff is empowered and authorized, but not directed, to provide Exhibit “G” to the Affidavit of Default, Value and Valuator’s Report (or any portion thereof, or information contained

therein) to any interested party, entity or person that the Plaintiff considers reasonable in the circumstances, subject to confidentiality arrangements satisfactory to the Plaintiff.

## LAND TITLES OFFICE

4. With respect to the following lands (the “**Lands**”), the Director of the Land Titles Office is hereby directed not to show the value of the Lands on the certificate of title or in the Affidavit of Default, Value and Valuator’s Report on the Land Titles Office SPIN system.

PLAN 1821856  
BLOCK 1  
LOT 3  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 6.76 HECTARES (16.7 ACRES) MORE OR LESS

and

PLAN 1821856  
BLOCK 1  
LOT 4  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 2.79 HECTARES (6.89 ACRES) MORE OR LESS

5. The Director of the Land Titles Office shall attach this Restricted Court Access Order to the Affidavit of Default, Value and Valuator’s Report and the Redemption Order granted on February 17, 2022, if requested by the Receiver.
6. The Director of the Land Titles Office shall make a redacted copy of the Affidavit of Default, Value and Valuator’s Report respecting the Lands redacting Exhibit “G” attached thereto. The Director of the Land Titles Office shall only post the redacted Affidavit of Default, Value and Valuator’s Report to the Land Titles Office SPIN system.
7. The Director of the Land Titles Office shall attach the original unredacted Affidavit of Default, Value and Valuator’s Report to the original stored copy of the Redemption Order and shall only permit employees of the Land Titles Office to view the un-redacted copy unless otherwise ordered by this Court.
8. Section 191(1) of the *Land Titles Act* is hereby waived.

## MISCELLANEOUS MATTERS

9. Service of notice of this Application and supporting materials is hereby declared to be good and sufficient. No other Person is required to have been served with notice of this Application and time for service of this Application is abridged to that actually given, and this hearing is properly returnable before this Honourable Court today and further service thereof is hereby dispensed with.
10. Service of this Restricted Court Access Order shall be deemed good and sufficient by serving same on the persons listed on the Service List posted, and by posting a copy of this Restricted Court Access Order, to the Receiver’s website at: <http://cfcanada.fticonsulting.com/roxdalegardens/>.
11. No other persons are entitled to be served with a copy of this Order.

12. Any party may apply to set aside this Order upon providing the Plaintiff and all interested parties with five days' notice of such application and it will be unsealed in any event 90 days following the closing of the transaction(s) in respect of the Lands.

*Karen Horner*

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Justice of the Alberta Court of Queen's Bench